

**Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of:)	
)	
Electronic Delivery of MVPD Communications)	MB Docket No. 17-317
)	
Modernization of Media Regulation Initiative)	MB Docket No. 17-105

COMMENTS OF VERIZON

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Verizon strongly supports the Commission’s continued efforts to modernize cable regulations to reduce burdens on both consumers and video providers. The Commission recently confirmed that Multichannel Video Programming Distributors (MVPDs) may deliver all general Subpart T and privacy subscriber notices via e-mail, rather than paper, subject to compliance with certain consumer protections.² This decision is consistent with consumer preferences to receive information electronically and in a manner that is convenient, efficient, and environmentally friendly. The Commission should now take further steps to enhance communications between MVPDs and their customers by allowing MVPDs to provide notices to subscribers in other ways, such as on their television screens.³

¹ The Verizon companies participating in this filing (“Verizon”) are the regulated, wholly-owned subsidiaries of Verizon Communications Inc.

² *Electronic Delivery of MVPD Communications; Modernization of Media Regulation Initiative*, Report and Order and Further Notice of Proposed Rulemaking, 33 FCC Rcd 11,518, ¶ 9 (2018) (“*Report and Order*” or “*FNPRM*”).

³ Verizon also supports the proposals to “adopt a wider range of permissible electronic delivery formats” such as SMS text message to a verified phone number and other forms of messaging such as through a smartphone application. *See FNPRM* ¶ 26.

In today's digital age, consumers increasingly rely on delivery of information by means other than paper mailings. As technology and consumer preferences rapidly evolve, the Commission's rules should keep pace, allowing MVPDs to share information with subscribers in simple and convenient ways. A flexible approach includes communicating with customers on their televisions and cell phones, devices that they use every day.

I. THE COMMISSION SHOULD ALLOW MVPDs TO DELIVER SUBPART T AND PRIVACY NOTICES TO SUBSCRIBERS VIA ADDITIONAL ELECTRONIC DELIVERY FORMATS.

The Commission should permit MVPDs to provide Subpart T and privacy notices to subscribers on their TV screens. The onscreen Fios TV interface is a powerful tool that Verizon already uses to communicate directly with subscribers. Fios TV subscribers may access information about rates, programming changes, and local customer service locations directly on their TV screens through their in-home television set-top boxes.⁴ The Commission should allow providers to use this convenient connection to share additional information with subscribers, including privacy notices. Consumers regularly use and are familiar with the TV screen interface. Delivering information to the TV screen will provide subscribers with one-stop shopping, giving them easy access to all of their important video information.

TV screen delivery of notices offers consumers advantages over other delivery means while providing consumer safeguards. One method of TV screen delivery is through the Customer Support tab accessible through the customer's Menu. When Verizon posts information to this tab, we are able to alert subscribers that a notice is available through the Fios TV Message Center, via e-mail, or on their paper bill. Customers could access the notice simply

⁴ For subscribers who use CableCARDS instead of set top boxes, Verizon could continue to provide notices via verified e-mail or paper notices if the subscriber has opted out of electronic delivery.

by using their remote control to click on the Menu button and then scrolling down to select Customer Support, and My Account. Using this option, subscribers would be able to review the full Subpart T and/or privacy notices on their TV screens without having to visit an external website, avoiding the “undue risk that subscribers will not receive the required notices.”⁵

Another means of electronic delivery is through the Fios TV Message Center, which is also on the TV screen. The message center has a user-friendly interface with the look and feel of an e-mail inbox. If a subscriber has a new message, a red notification button appears on an envelope icon and the word “New” appears in parentheses next to the “Message Center” selection. Posting notices here would also be convenient for our subscribers. They could retrieve new and recently-stored messages using their remote control by pressing the “Menu” button, selecting “Messages,” and selecting the new message to view. The message could be stored for a certain period of time, giving the subscriber unlimited opportunities to review.

Delivery to the TV screen also eliminates the necessity to “verify” whether the information will actually be delivered to the subscriber.⁶ Verizon provides the Fios TV equipment that subscribers use in their homes. Upon installation, Verizon verifies that the in-home equipment is associated with that particular subscriber. By delivering notices directly to that equipment, the provider is certain that the message will be delivered to the intended

⁵ See *Report and Order* ¶ 13 (finding that “with respect to most Subpart T notices, printing website addresses on paper communications, directing subscribers to the notice online, would not be a reasonable means of delivery”).

⁶ The Commission implemented a verification requirement for e-mail delivery of notices “to ensure that the annual notices have a high probability of being successfully delivered electronically to an e-mail address that the customer actually uses, so that the written information is actually provided to the customer.” *National Cable & Telecommunications Association and American Cable Association Petition for Declaratory Ruling*, Declaratory Ruling, 32 FCC Rcd 5269, ¶ 6 (2017) (“*Declaratory Ruling*”).

recipient.⁷ Because further verification is unnecessary, providers can implement this delivery method immediately without waiting for customer responses to verification requests, consistent with the Commission’s efforts to streamline and modernize the notification processes.⁸

Under this approach, all subscribers would receive TV screen notices, and those who want paper or e-mail delivery could request either of those options as well. The notice Verizon delivers to the TV screen would include a telephone number for subscribers to call to request paper or e-mail delivery in addition to the TV message. Even if customers choose to receive paper or email notices, Verizon would send notices to customers’ TV screens, arriving either at the Message Center or under the Customer Support tab.

As with other methods of electronic delivery, TV screen delivery has several advantages for subscribers. First, TV screen delivery would serve our TV subscribers who do not have Internet access or e-mail addresses, but who no longer want to receive paper notices. Second, operators can provide the most up to date information to subscribers without the delay associated with paper delivery. Third, this delivery method eliminates the expense and environmental burden of providing paper notices.⁹

II. CONCLUSION

For the reasons set forth above, the Commission should permit MVPDs to deliver Subpart T and privacy notices to subscribers’ TV screens and through other electronic delivery methods.

⁷ *See id.*

⁸ *See* Ex Parte Letter from Maureen O’Connell, Charter, to Marlene Dortch, FCC, MB Dkt. No. 17-317 (Oct. 25, 2018) (suggesting that e-mail delivery will not be available until providers “reach critical mass with the number of verified e-mail addresses collected, which is necessary to support the administrative shift to providing annual notices by e-mail”).

⁹ *See Declaratory Ruling* ¶ 6.

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Respectfully submitted,

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