

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
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In the Matter of )  
)  
1998 Biennial Regulatory Review -- ) CS Docket No. 98-132  
Streamlining of Cable Television Services )  
Part 76 Public File and Notice Requirements )

**COMMENTS OF THE NATIONAL CABLE TELEVISION ASSOCIATION**

The National Cable Television Association (NCTA”), by its attorneys, submits the following comments in response to the Commission’s Notice of Proposed Rulemaking (“Notice”) in the above-captioned proceeding.

In this proceeding, the Commission seeks comment on “common sense changes” to cable television public file, notice, record-keeping and reporting requirements “that lessen confusion and reduce the regulatory burden faced by franchising authorities and cable systems.”<sup>1</sup> The proceeding is undertaken in the spirit of the Section 11 of the 1996 Telecommunications Act. While Section 11 does not make specific reference to cable television rules, the Commission has decided to undertake a thorough reexamination of all of its rules. The instant proceeding is part of this comprehensive review.

The Commission asks whether and how it might reorganize cable regulations to facilitate compliance. It specifically seeks comment on a detailed proposal submitted by the Cable Telecommunications Association (“CATA”) under which rules relating to notice, filing, record-

<sup>1</sup> 1998 Biennial Regulatory Review – Streamlining of Cable Television Services Part 76 Public File and Notice Requirements, FCC 98-159, rel. Jul. 20, 1998 at 1.

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keeping and reporting requirements are reclassified and renumbered within Part 76 of the Commission's regulations.

The Commission should adopt CATA's proposal. Under the proposal, regulations regarding notice, filing, record-keeping and reporting requirements are grouped in a much more rational manner. A new Subpart T would be created to cover regulations relating to notice to subscribers. Within this subpart are notices about rate or service changes, changes in operations, political broadcasting notices, notices that must be given to new subscribers and annual notifications. As a result of the new classification, all interested parties can readily locate applicable regulations. The proposed arrangement is far superior to a scheme that places regulations involving notice in eight different subparts, and requires parties interested in notice requirements to develop a sophisticated understanding of the location of particular rule sections.

For similar reasons, the new Subpart U concerning "Documents to be Maintained for Inspection" should also be adopted. Subpart U is divided into "Public Inspection File Documents" and "Upon Request Documents." The "Public Inspection" regulations, which relate to such matters as political cablecasting, equal employment opportunity, leased access and emergency alert procedures, include in a single subpart of the rules all of the documents that a cable operator must maintain on file for public inspection. These regulations were previously located in seven different subparts.

Similarly, the "Upon Request" regulations re-locate all of the regulations that a cable operator must provide to interested parties upon request. For example, cable operators must provide interested parties upon request with documents about complaint resolution, compliance with technical standards, and justification for commercial leased access rates. The new subpart incorporates regulations previously located within three separate subparts.

Finally, CATA proposes the establishment of a new Subpart V, "Reports and Filings." This subpart will combine reporting and filing requirement regulations concerning registration statements, equal employment opportunity, aeronautical frequencies and alternative rate regulation agreements. This new subpart will combine regulations from three separate subparts.

CATA's proposal to reorganize Part 76 rules relating to Notices, Documents to be Maintained for Inspection, and Reports and Filings is a common sense change that will significantly reduce the regulatory burden faced by franchising authorities and cable operators. While there may be some extra effort required during the transition to the new rules, the proposal should be adopted.

Respectfully submitted,



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