PUBLIC NOTICE

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MEDIA BUREAU ACTION

MEDIA BUREAU SEEKS COMMENT ON AMERICAN CABLE ASSOCIATION'S PETITION FOR WAIVER OF ACCESIBLE EMERGENCY INFORMATION REQUIREMENTS

MB Docket Nos. 12-107, 11-43

Comment Date: April 2, 2015
Reply Comment Date: April 9, 2015

The American Cable Association ("ACA") has filed a petition[1] requesting that the Media Bureau ("Bureau") waive the Commission's rules requiring cable systems to pass through emergency information on a secondary audio stream for certain analog-only and hybrid digital/analog systems. Section 79.2(b)(2)(ii) of the Commission's rules requires video programming distributors to ensure that the aural representation of emergency information provided on the secondary audio stream gets passed through to consumers by the compliance deadline of May 26, 2015.[2]

ACA requests that the Bureau grant waivers for two classes of systems. First, for hybrid digital/analog systems that lack the equipment needed to pass through secondary audio streams on their analog service, ACA asks the Bureau to permit an alternate means of compliance with the pass-through requirement.[3] Specifically, ACA requests that the Bureau permit these systems to substantially meet the pass-through requirement through the provision of free set-top boxes for up to three analog television sets per household of each eligible customer,[4] until such time that the hybrid system obtains the equipment

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[1] American Cable Association, Petition for Waiver, MB Docket Nos. 12-107, 11-43 (filed Mar. 18, 2015) ("Petition"). ACA requests that the Petition be reviewed on an expedited basis, given the fast-approaching May 26, 2015 compliance deadline. *Id*. at 16-17.

[2] 47 C.F.R. § 79.2(b)(2)(ii). *See also Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010; Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010*, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 4871, 4899-900, ¶ 36 (2013) ("*Emergency Information/Video Description Order*").

[3] Petition at 10-13.

[4] To determine who would qualify as an "eligible customer," ACA proposes to use the process endorsed by the Commission in the *User Interfaces Order* to verify a consumer's eligibility for an accessible navigation device or accessibility solution. *See id*. at 11-12 (citing *Accessibility of User Interfaces, and Video Programming Guides and Menus; Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description: Implementation of the Twenty-First*

necessary to provide the secondary audio stream on their analog service, or ceases providing broadcast stations in analog.[5] Second, for analog-only systems that lack the equipment needed to pass through secondary audio streams, ACA requests that the Bureau waive the compliance deadline until at least June 12, 2018, with the opportunity to seek a further waiver from the Bureau, if still needed at that time.[6] We seek comment on ACA's request.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: http://fjallfoss.fcc.gov/ecfs2/.

- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

  Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

  - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

  - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

  - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington, DC 20554.

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Century Communications and Video Accessibility Act of 2010, MB Docket Nos. 12-108, 12-107, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 17330, 17409-11, ¶ 132 (2013) ("*User Interfaces Order*")).

[5] Petition at 10-13.

[6] *Id*. at 13-16.

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