

§ 76.1801

rate rules contained in subparts N and R of this part.

NOTE 1 TO § 76.1800: Cable operators are required by the Copyright Act to make semi-annual filings of Statements of Account with the Licensing Division of the Copyright Office, Library of Congress, Washington, DC 20557.

NOTE 2 TO § 76.1800: The Commission may require certain financial information to be submitted pursuant to Section 623(g) of the Communications Act, 47 U.S.C. 543(g).

§ 76.1801 Registration statement.

(a) A system community unit shall be authorized to commence operation only after filing with the Commission the following information on FCC Form 322.

(1) The legal name of the operator, entity identification or social security number, and whether the operator is an individual, private association, partnership, or corporation. If the operator is a partnership, the legal name of the partner responsible for communications with the Commission shall be supplied;

(2) The assumed name (if any) used for doing business in the community;

(3) The mailing address, including zip code; e-mail address, if applicable; and telephone number to which communications are to be directed;

(4) The month and year the system began service to subscribers;

(5) The name of the community or area served and the county in which it is located;

(6) The television broadcast signals to be carried which previously have not been certified or registered; and

(7) The FCC Registration Number (FRN).

(b) Registration statements, FCC Form 322, shall be signed by the operator; by one of the partners, if the operator is a partnership; by an officer, if the operator is a corporation; by a member who is an officer, if the operator is an unincorporated association; or by any duly authorized employee of the operator.

(c) Registration statements, FCC Form 322, may be signed by the operator's attorney in case of the operator's physical disability or of his absence from the United States. The attorney shall in that event separately set forth the reasons why the registration state-

47 CFR Ch. I (10-1-03 Edition)

ment was not signed by the operator. In addition, if any matter is stated on the basis of the attorney's belief only (rather than the attorney's knowledge), the attorney shall separately set forth the reasons for believing that such statements are true.

[68 FR 27003, May 19, 2003]

EFFECTIVE DATE NOTE: At 68 FR 27003, May 19, 2003, § 76.1801 was revised. This section contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

§ 76.1802 Equal employment opportunity.

Each employment unit with six or more full-time employees shall file an annual employment report on FCC Form 395-A (if cable operator or SMATV) or Form 395-M (if MVPD) with the Commission on or before September 30 of each year, in accordance with § 76.77.

[65 FR 7459, Feb. 15, 2000]

§ 76.1803 Signal leakage monitoring.

MVPDs subject to § 76.611 must submit the results of ground based measurements derived in accordance with § 76.611(a)(1) or airspace measurements derived in accordance with § 76.611(a)(2), including a description of the method by which compliance with basic signal leakage criteria is achieved and the method of calibrating the measurement equipment. This information shall be provided to the Commission each calendar year via FCC Form 320.

[68 FR 27003, May 19, 2003]

EFFECTIVE DATE NOTE: At 68 FR 27003, May 19, 2003, § 76.1803 was revised. This section contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

§ 76.1804 Aeronautical frequencies: leakage monitoring (CLD).

An MVPD shall notify the Commission before transmitting any carrier or other signal component with an average power level across a 25 kHz bandwidth in any 160 microsecond time period equal to or greater than 10^{-4} watts at any point in the cable distribution

system on any new frequency or frequencies in the aeronautical radio frequency bands (108–137 and 225–400 MHz). The notification shall be made on FCC Form 321. Such notification shall include:

(a) Legal name and local address of the MVPD;

(b) The names and FCC identifiers (e.g., CA0001) of the system communities affected, for a cable system, and the name and FCC identifier (e.g., CAB901), for other MVPDs;

(c) The names and telephone numbers of local system officials who are responsible for compliance with §§76.610 through 76.616 and §76.1803;

(d) Carrier frequency, tolerance, and type of modulation of all carriers in the aeronautical bands at any location in the cable distribution system and the maximum of those average powers measured over a 2.5 kHz bandwidth as described in the introductory paragraph to this rule section;

(e) The geographical coordinates (in NAD83) of a point near the center of the system, together with the distance (in kilometers) from the designated point to the most remote point of the plant, existing or planned, that defines a circle enclosing the entire plant;

(f) Certification that the monitoring procedure used is in compliance with §76.614 or description of the routine monitoring procedure to be used; and

(g) For MVPDs subject to §76.611, the cumulative signal leakage index derived under §76.611(a)(1) or the results of airspace measurements derived under §76.611(a)(2), including a description of the method by which compliance with the basic signal leakage criteria is achieved and the method of calibrating the measurement equipment.

(h) Aeronautical Frequency Notifications, FCC Form 321, shall be personally signed either electronically or manually by the operator; by one of the partners, if the operator is a partnership; by an officer, if the operator is a corporation; by a member who is an officer, if the operator is an unincorporated association; or by any duly authorized employee of the operator.

(i) Aeronautical Frequency Notifications, FCC Form 321, may be signed by the operator's attorney in case of the

operator's physical disability or of his absence from the United States. The attorney shall in that event separately set forth the reasons why the FCC Form 321 was not signed by the operator. In addition, if any matter is stated on the basis of the attorney's belief only (rather than the attorney's knowledge), the attorney shall separately set forth the reasons for believing that such statements are true.

(j) The FCC Registration Number (FRN).

[68 FR 27003, May 19, 2003]

EFFECTIVE DATE NOTE: At 68 FR 27003, May 19, 2003, §76.1804 was revised. This section contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

§76.1805 Alternative rate regulation agreements.

Small systems owned by small cable companies must file with the Commission a copy of any operative alternative rate regulation agreement entered into with a local franchising authority pursuant to §76.934(g), within 30 days after its effective date.

ALPHABETICAL INDEX—PART 76

A	
A and B grade contours	76.5
Access, Channel enforcement	76.10
Address, operator or status change reports	76.400
Aeronautical and marine emergency frequencies, Operation near	76.616
Aeronautical band usage, Notification requirements	76.615
Authority, Special temporary	76.29
B	
B and A grade contours	76.5
Boundaries, TV markets	76.53
Broadcast, Sports	76.67
Broadcast station, TV	76.5
C	
Cable TV channel: Classes I, II, III, IV	76.5
Cablecasting	76.5
CATV basic signal leakage performance criteria	76.611
CATV system	76.5
CATV system interference	76.613
Candidates for public office, Cablecast by	76.205
Carriage disputes	76.58
Carriage, mandatory, Expiration of	76.64
Carriage, Manner of	76.62
Carriage of other TV signals	76.60
Carriage of TV stations, Mandatory	76.56
Carriage of TV stations, Mandatory, Exemption from	76.70
Channel access enforcement	76.10
Communities, Designated	76.51
Community, Principal contour	76.5
Community unit	76.5