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## CLIENT UPDATE

March 28, 2008

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**SUMMARY:** The effective date of the FCC's new DTV Consumer Education rules has been announced as March 31, 2008. For all cable operators and other MVPDs and all ETCs that receive federal universal service funds, an informative notice must be included in customer bills or billing notices (either in the information section of the bill or as a separate bill stuffer) beginning no later than April 30, 2008. The notice must be included in customer bills on a monthly basis until March 2009. If you have any questions about these requirements, please review this client update and contact John Pietila at 515-288-2500 or via e-mail at [JohnPietila@davisbrownlaw.com](mailto:JohnPietila@davisbrownlaw.com).

### DTV CONSUMER EDUCATION NOTICE

The FCC has adopted rules requiring all cable operators and other MVPDs to provide monthly notices about the DTV transition in their customer billing statements. All ETCs that receive federal universal service funds must provide a similar notice to all lifeline and link up customers. Notices must be included in customer bills or billing notices beginning April 30, 2008 and continuing through March 2009. If a customer does not receive paper versions of either a bill or notice of billing, the customer must be provided with equivalent monthly notices in whatever medium the customer receives information about his or her monthly bill.

The DTV notice must be provided as a bill stuffer or as part of an information section on the bill itself. The notice must be conspicuous and must include certain information. The message must be provided in the same language or languages as the bill and, for cable and MVPD customers, must clearly explain the impact, if any, that the transition will have on the customer's access to MVPD service.

Quarterly reports regarding customer education efforts are required of licensees in certain bands of 700 MHz spectrum acquired in FCC Auctions 73 and 76. Quarterly reports are not required for cable and MVPD operators or ETCs. At this time, there are no specific customer education or notice requirements for 700 MHz licensees.

To assist you with complying with these requirements, a form of the minimum required notice for cable and MVPD operators and for ETCs is included with this Client Update.

If you have any questions about these requirements or this Client Update, please contact John Pietila at 515-288-2500 or via e-mail at [JohnPietila@davisbrownlaw.com](mailto:JohnPietila@davisbrownlaw.com).

***PLEASE NOTE: Legal forms and legal information are not the same as legal advice. The attached form is not intended and should not be relied upon as legal advice or as a substitute for obtaining appropriate legal counsel. This form should not be relied upon and is not a substitute for advice from an attorney licensed in your jurisdiction, who you have retained to represent your interests.***

Sample Notice for MVPDs:

After February 17, 2009, a television receiver with only an analog broadcast tuner will require a converter box to receive full power over-the-air broadcasts with an antenna because of the Nation's transition to digital broadcasting. Analog-only TVs should continue to work to receive low power, Class A or translator television stations and with cable and satellite TV services, gaming consoles, VCRs, DVD players and similar products. The transition should have no impact on your access to cable or satellite TV service. Analog-only television sets not connected to a cable or satellite service may require additional equipment (such as a digital-to-analog converter box) or may need to be replaced.

Information about the DTV transition is available from [www.DTV.gov](http://www.DTV.gov) or from this company at *[insert telephone number and website, if available]*, and from [www.dtv2009.gov](http://www.dtv2009.gov) or 1-888-DTV-2009 for information about subsidized coupons for digital-to-analog converter boxes.

Sample Notice for ETCs:

After February 17, 2009, a television receiver with only an analog broadcast tuner will require a converter box to receive full power over-the-air broadcasts with an antenna because of the Nation's transition to digital broadcasting. Analog-only TVs should continue to work to receive low power, Class A or translator television stations and with cable and satellite TV services, gaming consoles, VCRs, DVD players and similar products.

Information about the DTV transition is available from [www.DTV.gov](http://www.DTV.gov) or from this company at *[insert telephone number and website, if available]*, and from [www.dtv2009.gov](http://www.dtv2009.gov) or 1-888-DTV-2009 for information about subsidized coupons for digital-to-analog converter boxes.

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