

**(b) Consumer rights in e-billing**

If a provider of a covered service provides a bill to a consumer in an electronic format, the provider shall include in the bill—

(1) an itemized statement that breaks down the total amount charged for or relating to the provision of the covered service by the amount charged for the provision of the service itself and the amount of all related taxes, administrative fees, equipment fees, or other charges;

(2) the termination date of the contract for the provision of the covered service entered into between the consumer and the provider; and

(3) the termination date of any applicable promotional discount.

**(c) Consumer rights to accurate equipment charges**

A provider of a covered service or fixed broadband internet access service may not charge a consumer for—

(1) using covered equipment provided by the consumer; or

(2) renting, leasing, or otherwise providing to the consumer covered equipment if—

(A) the provider has not provided the equipment to the consumer; or

(B) the consumer has returned the equipment to the provider, except to the extent that the charge relates to the period beginning on the date when the provider provided the equipment to the consumer and ending on the date when the consumer returned the equipment to the provider.

**(d) Definitions**

In this section:

**(1) Broadband internet access service**

The term “broadband internet access service” has the meaning given such term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

**(2) Covered equipment**

The term “covered equipment” means equipment (such as a router) employed on the premises of a person (other than a provider of a covered service or fixed broadband internet access service) to provide a covered service or to provide fixed broadband internet access service.

**(3) Covered service**

The term “covered service” means service provided by a multichannel video programming distributor,<sup>1</sup> to the extent such distributor is acting as a multichannel video programming distributor.

(June 19, 1934, ch. 652, title VI, § 642, as added Pub. L. 116-94, div. P, title X, § 1004(a), Dec. 20, 2019, 133 Stat. 3200.)

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE**

Pub. L. 116-94, div. P, title X, § 1004(b), Dec. 20, 2019, 133 Stat. 3201, provided that: “Section 642 of the Communications Act of 1934 [47 U.S.C. 562], as added by sub-

<sup>1</sup> So in original. Probably should be “distributor.”

section (a) of this section, shall apply beginning on the date that is 6 months after the date of the enactment of this Act [Dec. 20, 2019]. The Federal Communications Commission may grant an additional 6-month extension if the Commission finds that good cause exists for such an additional extension.”

**PART V—VIDEO PROGRAMMING SERVICES  
PROVIDED BY TELEPHONE COMPANIES**

**§ 571. Regulatory treatment of video programming services****(a) Limitations on cable regulation****(1) Radio-based systems**

To the extent that a common carrier (or any other person) is providing video programming to subscribers using radio communication, such carrier (or other person) shall be subject to the requirements of subchapter III and section 572 of this title, but shall not otherwise be subject to the requirements of this subchapter.

**(2) Common carriage of video traffic**

To the extent that a common carrier is providing transmission of video programming on a common carrier basis, such carrier shall be subject to the requirements of subchapter II and section 572 of this title, but shall not otherwise be subject to the requirements of this subchapter. This paragraph shall not affect the treatment under section 522(7)(C) of this title of a facility of a common carrier as a cable system.

**(3) Cable systems and open video systems**

To the extent that a common carrier is providing video programming to its subscribers in any manner other than that described in paragraphs (1) and (2)—

(A) such carrier shall be subject to the requirements of this subchapter, unless such programming is provided by means of an open video system for which the Commission has approved a certification under section 573 of this title; or

(B) if such programming is provided by means of an open video system for which the Commission has approved a certification under section 573 of this title, such carrier shall be subject to the requirements of this part, but shall be subject to parts I through IV of this subchapter only as provided in 573(c) of this title.

**(4) Election to operate as open video system**

A common carrier that is providing video programming in a manner described in paragraph (1) or (2), or a combination thereof, may elect to provide such programming by means of an open video system that complies with section 573 of this title. If the Commission approves such carrier’s certification under section 573 of this title, such carrier shall be subject to the requirements of this part, but shall be subject to parts I through IV of this subchapter only as provided in 573(c) of this title.

**(b) Limitations on interconnection obligations**

A local exchange carrier that provides cable service through an open video system or a cable system shall not be required, pursuant to sub-

chapter II of this chapter, to make capacity available on a nondiscriminatory basis to any other person for the provision of cable service directly to subscribers.

**(c) Additional regulatory relief**

A common carrier shall not be required to obtain a certificate under section 214 of this title with respect to the establishment or operation of a system for the delivery of video programming.

(June 19, 1934, ch. 652, title VI, §651, as added Pub. L. 104-104, title III, §302(a), Feb. 8, 1996, 110 Stat. 118.)

**§ 572. Prohibition on buy outs**

**(a) Acquisitions by carriers**

No local exchange carrier or any affiliate of such carrier owned by, operated by, controlled by, or under common control with such carrier may purchase or otherwise acquire directly or indirectly more than a 10 percent financial interest, or any management interest, in any cable operator providing cable service within the local exchange carrier's telephone service area.

**(b) Acquisitions by cable operators**

No cable operator or affiliate of a cable operator that is owned by, operated by, controlled by, or under common ownership with such cable operator may purchase or otherwise acquire, directly or indirectly, more than a 10 percent financial interest, or any management interest, in any local exchange carrier providing telephone exchange service within such cable operator's franchise area.

**(c) Joint ventures**

A local exchange carrier and a cable operator whose telephone service area and cable franchise area, respectively, are in the same market may not enter into any joint venture or partnership to provide video programming directly to subscribers or to provide telecommunications services within such market.

**(d) Exceptions**

**(1) Rural systems**

Notwithstanding subsections (a), (b), and (c) of this section, a local exchange carrier (with respect to a cable system located in its telephone service area) and a cable operator (with respect to the facilities of a local exchange carrier used to provide telephone exchange service in its cable franchise area) may obtain a controlling interest in, management interest in, or enter into a joint venture or partnership with the operator of such system or facilities for the use of such system or facilities to the extent that—

(A) such system or facilities only serve incorporated or unincorporated—

(i) places or territories that have fewer than 35,000 inhabitants; and

(ii) are outside an urbanized area, as defined by the Bureau of the Census; and

(B) in the case of a local exchange carrier, such system, in the aggregate with any other system in which such carrier has an

interest, serves less than 10 percent of the households in the telephone service area of such carrier.

**(2) Joint use**

Notwithstanding subsection (c), a local exchange carrier may obtain, with the concurrence of the cable operator on the rates, terms, and conditions, the use of that part of the transmission facilities of a cable system extending from the last multi-user terminal to the premises of the end user, if such use is reasonably limited in scope and duration, as determined by the Commission.

**(3) Acquisitions in competitive markets**

Notwithstanding subsections (a) and (c), a local exchange carrier may obtain a controlling interest in, or form a joint venture or other partnership with, or provide financing to, a cable system (hereinafter in this paragraph referred to as "the subject cable system"), if—

(A) the subject cable system operates in a television market that is not in the top 25 markets, and such market has more than 1 cable system operator, and the subject cable system is not the cable system with the most subscribers in such television market;

(B) the subject cable system and the cable system with the most subscribers in such television market held on May 1, 1995, cable television franchises from the largest municipality in the television market and the boundaries of such franchises were identical on such date;

(C) the subject cable system is not owned by or under common ownership or control of any one of the 50 cable system operators with the most subscribers as such operators existed on May 1, 1995; and

(D) the system with the most subscribers in the television market is owned by or under common ownership or control of any one of the 10 largest cable system operators as such operators existed on May 1, 1995.

**(4) Exempt cable systems**

Subsection (a) does not apply to any cable system if—

(A) the cable system serves no more than 17,000 cable subscribers, of which no less than 8,000 live within an urban area, and no less than 6,000 live within a nonurbanized area as of June 1, 1995;

(B) the cable system is not owned by, or under common ownership or control with, any of the 50 largest cable system operators in existence on June 1, 1995; and

(C) the cable system operates in a television market that was not in the top 100 television markets as of June 1, 1995.

**(5) Small cable systems in nonurban areas**

Notwithstanding subsections (a) and (c), a local exchange carrier with less than \$100,000,000 in annual operating revenues (or any affiliate of such carrier owned by, operated by, controlled by, or under common control with such carrier) may purchase or otherwise acquire more than a 10 percent financial interest in, or any management interest in, or