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(Original Signature of Member)

116TH CONGRESS
1ST SESSION

H. R. _____

To amend the Communications Act of 1934 to require cable operators and internet service providers who are subject to State fines to submit a report, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BRINDISI introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Communications Act of 1934 to require cable operators and internet service providers who are subject to State fines to submit a report, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Transparency for
5 Cable Consumers Act”.

1 **SEC. 2. FCC REPORTING REQUIREMENT FOR CABLE OPER-**
2 **ATORS AND INTERNET SERVICE PROVIDERS**
3 **WHO ARE SUBJECT TO STATE FINES.**

4 Title VII of the Communications act of 1934 (47
5 U.S.C. 601 et. seq.) is amended by adding at the end the
6 following new section:

7 **“SEC. 723. REPORTING REQUIREMENT FOR CABLE OPERA-**
8 **TORS AND INTERNET SERVICE PROVIDERS**
9 **SUBJECT TO STATE FINES AND PENALTIES.**

10 “(a) REPORT REQUIRED.—Not later than October 1
11 of each year for a period of ten years that begins the year
12 following a year in which a cable operator or internet serv-
13 ice provider begins making payments to a State that quali-
14 fies the operator or provider as a covered entity, the cov-
15 ered entity shall submit to the Commission a report that
16 includes the following:

17 “(1) The total number of customers the covered
18 entity has in each county in which the covered entity
19 operates in that State. For the second through tenth
20 such report, the percentage increase or decrease
21 from the previous 12 months for each such county.

22 “(2) The average monthly customer billed
23 amount in each county in which the covered entity
24 operates in that State for the previous 12 months.
25 For the second through tenth such report, the per-

1 centage increase or decrease from the previous 12
2 months for each county.

3 “(3) In the case of a cable provider that is a
4 covered entity, the average billed amount for cable
5 service for each county in which the covered entity
6 operates in that State for the previous 12 months.

7 “(4) In the case of an internet service provider
8 that is a covered entity, the average billed amount
9 for broadband internet service for each county in
10 which the covered entity operates in that State for
11 the previous 12 months.

12 “(5) In the case of a covered entity that is a
13 cable operator and an internet service provider, a
14 separate report for both the average billed amount
15 for cable service and the average billed amount for
16 broadband internet service for each county in which
17 the covered entity operates in that State for the pre-
18 vious 12 months.

19 “(6) The average internet speeds delivered to
20 customers in each county in which the covered entity
21 has operated in that State for the previous 12
22 months, including the average upload and download
23 speed. For years 2–10 of the reporting requirement,
24 this must also include the percentage increase or de-
25 crease from the previous year for each county.

1 “(7) A list of all additional fees which appeared
2 on customers’ bills during the past 12 months as
3 well as the average charge for each fee for each
4 county in which the company operates in that State.
5 For the second through tenth such report, the per-
6 centage increase or decrease from the previous 12
7 months for each county.

8 “(b) SUBMISSION TO CONGRESS.—Not later than 30
9 days after the date on which the Commission receives a
10 report under subsection (a), the Commission shall submit
11 such report to each Member of Congress from the relevant
12 State.

13 “(c) DEFINITIONS.—In this section:

14 “(1) BROADBAND INTERNET SERVICE.—The
15 term ‘broadband internet service’—

16 “(A) means a mass-market retail service
17 by wire or radio that provides the capability to
18 transmit data to and receive data from all or
19 substantially all internet endpoints, including
20 any capabilities that are incidental to and en-
21 able the operation of the communications serv-
22 ice;

23 “(B) does not include dial-up internet ac-
24 cess service; and

1 “(C) includes any service that the Commis-
2 sion finds to be providing a functional equiva-
3 lent of the service described in subparagraph
4 (A) or that is used to evade the protections set
5 forth in part 8 of title 47, Code of Federal Reg-
6 ulations.

7 “(2) CABLE OPERATOR; CABLE SERVICE.—The
8 terms ‘cable operator’ and ‘cable service’ have the
9 meanings given those terms in section 602.

10 “(3) COUNTY.—The term ‘county’ includes a
11 parish or borough.

12 “(4) COVERED ENTITY.—The term ‘covered en-
13 tity’ means a cable operator or internet service pro-
14 vider that is directed by a State Public Service Com-
15 mission or State Department of Public Service to
16 pay \$1,000,000 or more to the State in fines or pen-
17 alties.

18 “(5) INTERNET SERVICE PROVIDER.—The term
19 ‘internet service provider’ means any person or
20 group of persons that provides broadband internet
21 access service.

22 “(6) MEMBER OF CONGRESS.—The term ‘Mem-
23 ber of Congress’ means a Senator or a Representa-
24 tive in, or Delegate or Resident Commissioner to,
25 the Congress.”.