

broadcast flag, and if the broadcast flag is present:

(1) Securely and robustly convey that information to the consumer product used to decrypt the distributor's signal information, and

(2) Require that such consumer product, following such decryption, protect the content of such signal as if it were a covered demodulator product receiving marked content.

(c) *Unencrypted retransmission.* Where a multichannel video programming distributor retransmits unencrypted digital terrestrial broadcast content in unencrypted form, such distributor shall, upon demodulation:

(1) Preserve the broadcast flag, if present, in both the EIT and PMT; and

(2) Use 8-VSB, 16-VSB, 64-QAM, or 256-QAM signal modulation for the retransmission.

(d) *Unmarked content.* Where a multichannel video programming distributor retransmits unencrypted digital terrestrial broadcast content that is not marked with the broadcast flag, the multichannel video programming distributor shall not encode such content to restrict its redistribution.

[68 FR 67607, Dec. 3, 2003]

Subpart X—Access to MDUs

§ 76.2000 Exclusive access to multiple dwelling units generally.

(a) *Prohibition.* No cable operator or other provider of MVPD service subject to 47 U.S.C. 548 shall enforce or execute any provision in a contract that grants to it the exclusive right to provide any video programming service (alone or in combination with other services) to a MDU. All such exclusivity clauses are null and void.

(b) *Definition.* For purposes of this rule, MDU shall include a multiple dwelling unit building (such as an apartment building, condominium building or cooperative) and any other centrally managed residential real estate development (such as a gated community, mobile home park, or garden apartment); provided however, that MDU shall not include time share units, academic campuses and dormitories, military bases, hotels, rooming houses, prisons, jails, halfway

houses, hospitals, nursing homes or other assisted living facilities.

[73 FR 1089, Jan. 7, 2008]

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

Consumer education-selector switches 76.66

Cross-ownership 76.501

D

Definitions, Part 76 76.5

Designated communities 76.51

Dismissal: Special relief petitions 76.8

Disputes concerning carriage 76.58

Doctrine, Fairness 76.209

E

Editorials, Political 76.209

Enforcement, Channel access 76.10

Enforcement, Lockbox 76.11

Equal employment opportunity—

 Scope 76.71

 General Policy 76.73

 Program requirements 76.75

 Reporting requirements 76.77

 Public inspection of records 76.79

Exceptions, to rules provisions—

 Network program nonduplication 76.95

 Signal leakage performance criteria 76.618

 Frequency separation standards 76.618

F

Fairness doctrine 76.209

File, Public inspection 76.305

Forfeitures 76.9

Forms, Report 76.403

Frequency bands 108–136; 225–400 MHz, Operation in. 76.610

Frequency separation standards 76.612

Frequency separation standards, Exception to. 76.618

Pt. 76, Index

47 CFR Ch. I (10–1–11 Edition)

Full network station	76.5	Petitions, Dismissal of	76.8
G		Petitions for waiver	76.7
Grandfathering, exceptions to rules provisions—		Political editorials	76.209
Non-network program exclusivity ...	76.99	Possession of rules	76.301
Non-applicability of §§ 76.611 and 76.612.	76.618	Prime time	76.5
Operation in frequency bands 108–136; 225–400 MHz.	76.619	Program carriages, STV	76.64
H-I		Programming, Network	76.5
Identification Sponsorship; list retention	76.221	Protection extent: network nonduplication	76.94
Independent station	76.5	Public inspection file	76.305
Input selector switches	76.66	Public office, Cablecasts by candidates for ..	76.205
Input selector switches, consumer education	76.66	PURPOSE—Part 76	76.1
Input selector switches, Exemption	76.70	Q	
Inspection, CATV systems, by FCC	76.307	Qualified TV station, Showing	76.55
Interference from CATV system	76.613	R	
Interference, Receiver-generated, Responsibility.	76.617	Rate regulation standards	76.33
Isolation, Terminal	76.5	Receiver generated interference	76.617
J-L		Reference points, Major/smaller markets	76.53
Leakage measurements, Signal	76.601	Registration statement: signature	76.14
Leakage, Signal, performance criteria	76.611	Registration statement	76.12
Leakage, Signal, performance criteria, Exemption.	76.618	Relief, Special	76.7
List retention, Sponsorship identification	76.221	Report forms	76.403
Lockbox enforcement	76.11	Reports: Change of operator, address, status.	76.400
Lotteries	76.213	Responsibility for receiver-generated interference.	76.617
M		Rule waiver	76.7
Mandatory carriage of TV stations	76.56	Rules, Possession	76.301
Mandatory carriage of TV stations, Exemption from.	76.70	S	
Manner of carriage	76.62	Selector switches, Input	76.66
Marine and aeronautical emergency frequencies, Operation near.	76.716	Selector switches, input, Exemption	76.70
Major TV markets	76.51	Show cause order	76.9
Market size operation provisions—		Signal leakage measurements	76.601
Measurements, Performance	76.609	Signal leakage performance criteria	76.611
Measurements, Signal leakage	76.601	Signature: registration statement	76.14
Monitoring, CATV system	76.614	Significantly viewed signals	76.54
Must carry requirements	76.55, 76.59, 76.61, 76.64	Special relief	76.7
N		Special relief petitions, Dismissal of	76.8
Network nonduplication: protection extent	76.94	Special temporary authority	76.29
Network nonduplication waivers	76.97	Specified zone, TV station	76.5
Network program nonduplication: Exceptions	76.95	Sponsorship identification, List retention	76.221
Network program nonduplication: Notification.	76.94	Sports broadcasts	76.67
Network programming	76.5	Standards for rate regulation	76.33
Network programs: nonduplication protection	76.92	Standards, Technical	76.605
Network station, Full	76.5	Station protection: network program nonduplication.	76.92
Network station, Partial	76.5	Status, operator or address change reports	76.400
Noise, System	76.5	Subscriber terminal	76.5
Nonduplication protection, Network programs.	76.92	Subscribers	76.5
Non-network program exclusivity, exceptions	76.99	System community unit	76.5
Notification requirements: aeronautical bands.	76.615	System inspection (by FCC)	76.307
Notification requirements: network nonduplication.	76.94	System monitoring	76.614
O		System noise	76.5
Operation in frequency bands 108–136 and 225–400 MHz.	76.610	T	
Operator, address or status change reports	76.400	Technical standards	76.605
Order, Show cause	76.9	Terminal isolation	76.5
Ownership, Cross	76.501	Terminal, Subscriber	76.5
P		Tests, Performance	76.601
Partial network station	76.5	Translator station, TV	76.5
Performance measurements	76.609	TV markets, Boundaries of	76.53
Personal attacks: political cablecasts	76.209	TV markets, Major	76.51
		TV signals, Carriage non-mandatory	76.60
		U-V	
		Vertical blanking interval, Services on	76.64
		W	
		Waiver, Network nonduplication	76.97
		Waiver, Rules	76.7
		X-Y-Z	
		Zone, Specified, of TV station	76.5

Federal Communications Commission

§ 78.3

[50 FR 38536, Sept. 23, 1985; 50 FR 39114, Sept. 27, 1985, as amended at 51 FR 34622, Sept. 30, 1986; 52 FR 37316, Oct. 6, 1987]

PART 78—CABLE TELEVISION RELAY SERVICE

Subpart A—General

Sec.

- 78.1 Purpose.
- 78.3 Other pertinent rules.
- 78.5 Definitions.

Subpart B—Applications and Licenses

- 78.11 Permissible service.
- 78.13 Eligibility for license.
- 78.15 Contents of applications.
- 78.16 Who may sign applications.
- 78.17 Amendment of applications.
- 78.18 Frequency assignments.
- 78.19 Interference.
- 78.20 Acceptance of applications; public notice.
- 78.21 Dismissal of applications.
- 78.22 Objections to applications.
- 78.23 Equipment tests.
- 78.27 License conditions.
- 78.29 License period.
- 78.30 Forfeiture and termination of station authorizations.
- 78.31 Temporary extension of license.
- 78.33 Special temporary authority.
- 78.35 Assignment or transfer of control.
- 78.36 Frequency coordination.
- 78.40 Transition of the 1990–2025 MHz band from the Cable Television Relay Service to emerging technologies.

Subpart C—General Operating Requirements

- 78.51 Remote control operation.
- 78.53 Unattended operation.
- 78.55 Time of operation.
- 78.57 Station inspection.
- 78.59 Posting of station and operator licenses.
- 78.61 Operator requirements.
- 78.63 Antenna structure marking and lighting.
- 78.65 Additional orders.
- 78.67 Copies of rules.
- 78.69 Station records.
- 78.75 Equal employment opportunities.

Subpart D—Technical Regulations

- 78.101 Power limitations.
- 78.103 Emissions and emission limitations.
- 78.104 Authorized bandwidth and emission designator.
- 78.105 Antenna systems.
- 78.106 Interference to geostationary-satellites.
- 78.107 Equipment and installation.

- 78.108 Minimum path lengths for fixed links.
- 78.109 Major and minor modifications to stations.
- 78.111 Frequency tolerance.
- 78.113 Frequency monitors and measurements.
- 78.115 Modulation limits.

ALPHABETICAL INDEX—PART 78

AUTHORITY: Secs. 2, 3, 4, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1083, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.

SOURCE: 37 FR 3292, Feb. 12, 1972, unless otherwise noted.

Subpart A—General

§ 78.1 Purpose.

The rules and regulations set forth in this part provide for the licensing and operation of fixed or mobile cable television relay service stations (CARS) used for the transmission of television and related audio signals, signals of standard and FM broadcast stations, signals of BRS/EBS fixed stations, and cablecasting from the point of reception to a terminal point from which the signals are distributed to the public by cable. In addition CARS stations may be used to transmit television and related audio signals to TV translator and low-power TV stations.

[69 FR 72046, Dec. 10, 2004]

§ 78.3 Other pertinent rules.

Other pertinent provisions of the Commission's rules and regulations relating to the cable television relay service (CARS) are included in the following parts of this chapter:

- Part 0—Commission Organization.
- Part 1—Practice and Procedure.
- Part 2—Frequency Allocations and Radio Treaty Matters; General Rules and Regulations.
- Part 17—Construction Marking and Lighting of Antenna Structures.
- Part 21—Domestic Public Fixed Radio Services.
- Part 74—Experimental, Auxiliary, and Special Broadcast, and Other Program Distribution Services.
- Part 76—Cable Television Service.
- Part 101—Fixed Microwave Services.

[55 FR 46014, Oct. 31, 1990, as amended at 65 FR 38326, June 20, 2000]