§ 10.260  Timing of subscriber notification.

A CMS provider that elects not to transmit WEA Alert Messages, in part or in whole, must comply with §§10.240 and 10.250 no later than 60 days following an announcement by the Commission that the Alert Aggregator/Gateway system is operational and capable of delivering emergency alerts to participating CMS providers.

§ 10.270  Subscribers’ right to terminate subscription.

If a CMS provider that has elected to provide WEA Alert Messages in whole or in part thereafter chooses to cease providing such alerts, either in whole or in part, its subscribers may terminate their subscription without penalty or early termination fee.

§ 10.280  Subscribers’ right to opt out of WEA notifications.

(a) CMS providers may provide their subscribers with the option to opt out of both, or either, the “Child Abduction Emergency/AMBER Alert” and “Imminent Threat Alert” classes of Alert Messages.

(b) CMS providers shall provide their subscribers with a clear indication of what each option means, and provide examples of the types of messages the customer may not receive as a result of opting out.

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not required to perform any formatting, reformatting, or translation of an Alert Message, except for transcoding a text, audio, video, or multimedia file into the format supported by mobile devices.

(2) Reception. The CMS provider gateway must support a mechanism to stop and start Alert Message deliveries from the Federal alert gateway to the CMS provider gateway.

(3) Prioritization. The CMS provider gateway must process an Alert Message on a first in-first out basis except for Presidential Alerts, which must be processed before all non-Presidential alerts.

(4) Distribution. A Participating CMS provider must deploy one or more CMS provider gateways to support distribution of Alert Messages and to manage Alert Message traffic.

(5) Retransmission. The CMS provider gateway must manage and execute Alert Message retransmission, and support a mechanism to manage congestion within the CMS provider’s infrastructure.

(f) CMS provider profile. The CMS provider gateway will provide profile information on the CMS provider for the Federal alert gateway to maintain at the Federal alert gateway. This profile information must be provided by an authorized CMS provider representative to the Federal alert gateway administrator. The profile information must include the data listed in Table 10.320(f) and must comply with the following procedures:

(1) The information must be provided 30 days in advance of the date when the CMS provider begins to transmit WEA alerts.

(2) Updates of any CMS provider profiles must be provided in writing at least 30 days in advance of the effective change date.

<table>
<thead>
<tr>
<th>TABLE 10.320(f)—CMSP PROFILE ON FEDERAL ALERT GATEWAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Profile parameter</td>
</tr>
<tr>
<td>-------------------</td>
</tr>
<tr>
<td>CMSP Name ..........</td>
</tr>
<tr>
<td>CMSP gateway Address ..........</td>
</tr>
<tr>
<td>Geo-Location Filtering ..........</td>
</tr>
<tr>
<td>&lt;yes/no&gt; ..........</td>
</tr>
<tr>
<td>If yes, list of states ..........</td>
</tr>
<tr>
<td>CMAC Geocode for state ..........</td>
</tr>
</tbody>
</table>

[73 FR 43117, July 24, 2008, as amended at 78 FR 16808, Mar. 19, 2013]

§ 10.330 Provider infrastructure requirements.

This section specifies the general functions that a Participating CMS Provider is required to perform within their infrastructure. Infrastructure functions are dependent upon the capabilities of the delivery technologies implemented by a Participating CMS Provider.

(a) Distribution of Alert Messages to mobile devices.

(b) Authentication of interactions with mobile devices.

(c) Reference Points D & E. Reference Point D is the interface between a CMS Provider gateway and its infrastructure. Reference Point E is the interface between a provider’s infrastructure and mobile devices including air interfaces. Reference Points D and E protocols are defined and controlled by each Participating CMS Provider.

§ 10.340 Digital television transmission towers retransmission capability.

Licensees and permittees of non-commercial educational broadcast television stations (NCE) or public broadcast television stations (to the extent such stations fall within the scope of those terms as defined in section 397(6) of the Communications Act of 1934 (47 U.S.C. 397(6))) are required to install on, or as part of, any broadcast television digital signal transmitter, equipment to enable the distribution of geographically targeted alerts by commercial mobile service providers that have elected to transmit WEA alerts. Such equipment and technologies must have the capability of allowing licensees and permittees of NCE and public

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