

existing MVPD to provide service, and gives its affirmative consent to such installation. This paragraph shall not apply where the incumbent provider has an exclusive contractual right to occupy the molding.

(b) If an MDU owner finds that there is insufficient space in existing molding to permit the installation of the new wiring without interfering with the ability of an existing MVPD to provide service, but gives its affirmative consent to the installation of larger molding and additional wiring, the MDU owner (with or without the assistance of the incumbent and/or the alternative provider) shall be permitted to remove the existing molding, return such molding to the incumbent, if appropriate, and install additional wiring and larger molding in order to contain the additional wiring. This paragraph shall not apply where the incumbent provider possesses a contractual right to maintain its molding on the premises without alteration by the MDU owner.

(c) The alternative provider shall be required to pay any and all installation costs associated with the implementation of paragraphs (a) or (b) of this section, including the costs of restoring the MDU owner's property to its original condition, and the costs of repairing any damage to the incumbent provider's wiring or other property.

10. Section 76.806 is added to read as follows:

**§ 76.806 Pre-termination access to cable home wiring.**

(a) Prior to termination of service, a customer may: install or provide for the installation of their own cable home wiring; or connect additional home wiring, splitters or other equipment within their premises to the wiring owned by the cable operator, so long as no electronic or physical harm is caused to the cable system and the physical

integrity of the cable operator's wiring remains intact.

(b) Cable operators may require that home wiring (including passive splitters, connectors and other equipment used in the installation of home wiring) meets reasonable technical specifications, not to exceed the technical specifications of such equipment installed by the cable operator; provided however, that if electronic or physical harm is caused to the cable system, the cable operator may impose additional technical specifications to eliminate such harm. To the extent a customer's installations or rearrangements of wiring degrade the signal quality of or interfere with other customers' signals, or cause electronic or physical harm to the cable system, the cable operator may discontinue service to that subscriber until the degradation or interference is resolved.

(c) Customers shall not physically cut, substantially alter, improperly terminate or otherwise destroy cable operator-owned home wiring.

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 76**

[MM Docket No. 92-258; FCC 97-156]

**Cable Television Consumer Protection and Competition Act of 1992**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** The Commission's amendments to 47 CFR Sections 76.701 and 76.702, which contained information collection requirements, became effective on October 29, 1997.

These amendments, which were published in the **Federal Register** on May 23, 1997, relate to implementation of the cable television leased access and public, educational, and governmental access indecency provisions of the 1992 Cable Act.

**EFFECTIVE DATE:** The amendments to 47 CFR Sections 76.701 and 76.702, published at 62 FR 28371, became effective on October 29, 1997.

**FOR FURTHER INFORMATION CONTACT:** Meryl S. Icove, Cable Services Bureau, (202) 418-7200.

**SUPPLEMENTARY INFORMATION:**

1. On May 7, 1997, the Commission released an order revising its indecency rules for leased access and public, educational and governmental access channels, a summary of which was published in the **Federal Register**. See 62 FR 28371, May 23, 1997. Because they imposed new or modified information collection requirements, 47 CFR Sections 76.701 and 76.702 could not become effective until approved by the Office of Management and Budget ("OMB"). OMB approved these rule changes on October 29, 1997.

2. The **Federal Register** summary stated that the Commission would publish a document confirming the effective date and notifying parties that these rules have become effective. The amendments to 47 CFR Sections 76.701 and 76.702 became effective on October 29, 1997.

**List of Subjects in 47 CFR Part 76**

Administrative practice and procedure, Cable television, Reporting and recordkeeping requirements.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

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