

similar channels shall conduct semi-annual proof-of-performance tests of that system, to determine the extent to which the system complies with the technical standards set forth in § 76.605(b)(4) as follows. The visual signal level on each channel shall be measured and recorded, along with the date and time of the measurement, once every six hours (at intervals of not less than five hours or no more than seven hours after the previous measurement), to include the warmest and the coldest times, during a 24-hour period in January or February and in July or August.

(ii) The operator of each cable television system that operates NTSC or similar channels shall conduct triennial proof-of-performance tests of its system to determine the extent to which the system complies with the technical standards set forth in § 76.605(b)(11).

(c) Successful completion of the performance tests required by paragraph (b) of this section does not relieve the system of the obligation to comply with all pertinent technical standards at all subscriber terminals. Additional tests, repeat tests, or tests involving specified subscriber terminals may be required by the Commission or the local franchiser to secure compliance with the technical standards.

(d) The provisions of paragraphs (b) and (c) of this section shall not apply to any cable television system having fewer than 1,000 subscribers: *Provided, however*, that any cable television system using any frequency spectrum other than that allocated to over-the-air television and FM broadcasting (as described in §§ 73.603 and 73.210 of this chapter) is required to conduct all tests, measurements and monitoring of signal leakage that are required by this subpart. A cable television system operator complying with the monitoring, logging and the leakage repair requirements of § 76.614, shall be considered to have met the requirements of this paragraph. However, the leakage log shall be retained for five years rather than the two years prescribed in § 76.1706.

NOTE 1 TO § 76.601: Prior to requiring any additional testing pursuant to § 76.601(c), the local franchising authority shall notify the

cable operator who will be allowed thirty days to come into compliance with any perceived signal quality problems which need to be corrected. The Commission may request cable operators to test their systems at any time.

NOTE 2 TO § 76.601: Section 76.1717 contains recordkeeping requirements for each system operator in order to show compliance with the technical rules of this subpart.

NOTE 3 TO § 76.601: Section 76.1704 contains recordkeeping requirements for proof of performance tests.

[65 FR 53615, Sept. 5, 2000, as amended at 83 FR 7627, Feb. 22, 2018]

#### § 76.602 Incorporation by reference.

(a) The materials listed in this section are incorporated by reference in this part. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on the date of the approval, and notice of any change in these materials will be published in the FEDERAL REGISTER. The materials are available for inspection at the Federal Communications Commission, 445 12th St. SW., Reference Information Center, Room CY-A257, Washington, DC 20554 and at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal-register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal-register/code_of_federal_regulations/ibr_locations.html).

(b) The following materials are available from Advanced Television Systems Committee (ATSC), 1776 K Street NW., 8th Floor, Washington, DC 20006; phone: 202-872-9160; or online at <http://www.atsc.org/standards.html>.

(1) ATSC A/65B: "ATSC Standard: Program and System Information Protocol for Terrestrial Broadcast and Cable (Revision B)," March 18, 2003, IBR approved for § 76.640.

(2) ATSC A/85:2013 "ATSC Recommended Practice: Techniques for Establishing and Maintaining Audio Loudness for Digital Television," (March 12, 2013) ("ATSC A/85 RP"), IBR approved for § 76.607.

(c) The following materials are available from the Consumer Technology Association (formerly the Consumer

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Electronics Association), 1919 S Eads St., Arlington, VA 22202; phone: 703-907-7600; web: [standards.cta.tech/kwspub/published\\_docs/](http://standards.cta.tech/kwspub/published_docs/).

(1) CTA-542-D, "Cable Television Channel Identification Plan," June 2013, IBR approved for § 76.605.

(2) CEA-931-A, "Remote Control Command Pass-through Standard for Home Networking," 2003, IBR approved for § 76.640. (CEA-931-A is available through the document history of "CTA-931" from the reseller in paragraph (e)(2) of this section.)

(d) The following materials are available from Society of Cable Telecommunications Engineers (SCTE), 140 Philips Road Exton, PA 19341-1318; phone: 800-542-5040; or online at [http://www.scte.org/standards/Standards\\_Available.aspx](http://www.scte.org/standards/Standards_Available.aspx).

(1) ANSI/SCTE 26 2001 (formerly DVS 194): "Home Digital Network Interface Specification with Copy Protection," 2001, IBR approved for § 76.640.

(2) SCTE 28 2003 (formerly DVS 295): "Host-POD Interface Standard," 2003, IBR approved for § 76.640.

(3) ANSI/SCTE 40 2016, "Digital Cable Network Interface Standard," copyright 2016, IBR approved for §§ 76.605, 76.640.

(4) SCTE 41 2003 (formerly DVS 301): "POD Copy Protection System," 2003, IBR approved for § 76.640.

(5) ANSI/SCTE 54 2003 (formerly DVS 241), "Digital Video Service Multiplex and Transport System Standard for Cable Television," 2003, IBR approved for § 76.640.

(6) ANSI/SCTE 65 2002 (formerly DVS 234), "Service Information Delivered Out-of-Band for Digital Cable Television," 2002, IBR approved for § 76.640.

(e) Some standards listed above are also available for purchase from the following sources:

(1) American National Standards Institute (ANSI), 25 West 43rd Street, 4th Floor, New York, NY 10036; phone: 212-642-4980; or online at <http://webstore.ansi.org/>.

(2) Global Engineering Documents (standards reseller), 15 Inverness Way East, Englewood, CO 80112; phone: 800-

854-7179; or online at <http://global.ihs.com>.

[77 FR 40300, July 9, 2012, as amended at 79 FR 51113, Aug. 27, 2014; 83 FR 7627, Feb. 22, 2018]

### § 76.605 Technical standards.

(a) The following requirements apply to the performance of a cable television system as measured at the input to any terminal device with a matched impedance at the termination point or at the output of the modulating or processing equipment (generally the headend) of the cable television system or otherwise noted here or in ANSI/SCTE 40 2016. The requirements of paragraph (b) of this section are applicable to each NTSC or similar video downstream cable television channel in the system. Each cable system that uses QAM modulation to transport video programming shall adhere to ANSI/SCTE 40 2016 (incorporated by reference, see § 76.602). Cable television systems utilizing other technologies to distribute programming must respond to consumer complaints under paragraph (d) of this section.

(b) For each NTSC or similar video downstream cable television channel in the system:

(1) The cable television channels delivered to the subscriber's terminal shall be capable of being received and displayed by TV broadcast receivers used for off-the-air reception of TV broadcast signals, as authorized under part 73 of this chapter; and cable television systems shall transmit signals to subscriber premises equipment on frequencies in accordance with the channel allocation plan set forth in CTA-542-D (incorporated by reference, see § 76.602).

(2) The aural center frequency of the aural carrier must be 4.5 MHz  $\pm$  5 kHz above the frequency of the visual carrier at the output of the modulating or processing equipment of a cable television system, and at the subscriber terminal.

(3) The visual signal level, across a terminating impedance which correctly matches the internal impedance of the cable system as viewed from the subscriber terminal, shall not be less