



March 14, 2024

Senator Matt Klein  
Minnesota State Senate  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
Saint Paul, MN 55155

Re: Senate File 3537

Dear Chair Klein and Members of the Senate Commerce and Consumer Protection Committee,

The Minnesota Cable Communications Association (MCCA) represents cable companies who are proud to serve residents of Minnesota in every corner of the state, from Sjoborg's in Thief River Falls, SCI in Hinckley to Midco in Fairmont. Collectively, MN cable companies provide high-speed, reliable broadband connections to over 1.5 million residents in the metro, suburbs and rural Minnesota. Our members employ over 4,400 Minnesotans and have invested over \$1B of private capital in their networks since 2011, expanding internet access and increasing speeds across the state. MCCA member companies are also proud to partner with the Office of Broadband Development through the Border-to-Border Program that has a long-standing history of engaging stakeholders on all sides to connect thousands of Minnesotans to a high-speed, reliable, broadband connection.

We appreciate the opportunity today to share our concerns with SF 3537. We respectfully request that the bill include amendments for businesses like ours that are already covered by price disclosure and truth-in-billing requirements under federal laws and regulations. Our members provide internet, multichannel video, voice, mobile, and home security services and create and stream TV programming. Their services include multiple tiers and/or multiple lines of services.

As providers of multichannel video service, our members must comply with the federal Television Viewer Protection Act ("TVPA"), which requires disclosure at the point of sale of a comprehensive list of fees, charges, and government-imposed taxes and reflects Congress's determination that disclosure of the all-in price at the point of sale ensures that consumers are fully informed and do not "face unexpected and confusing fees when purchasing video programming." Within 24 hours of entering into a contract, the provider must also send the consumer this same information by email, online link, or comparable means (i.e., a second disclosure). Consumers must be provided with the opportunity to cancel their contract with no penalties within 24 hours of receiving that information. The TVPA also requires electronic bills to include information about charges and fees, the termination date of any promotional discount, and the termination date of the contract. MCCA members have implemented various measures to comply with the TVPA mandates, including detailed all-in pricing disclosures during the point-of-sale process for new customers.

Last year, the Federal Communications Commission (FCC) adopted rules implementing broadband “nutrition” labeling to help consumers make informed choices when selecting internet services. By April 10, 2024, providers must display clear and easy-to understand labels at the point of sale that includes detailed information regarding costs and fees, introductory rates, broadband speeds and additional information like privacy policies. Included at the end of this letter is an example of what this will look like. In addition, the FTC, or Federal Trade Commission, has also proposed rules prohibiting bogus and junk fees.

In addition, we have concerns that the bill does not take into account situations in which a consumer’s physical location cannot be determined prior to sale or checkout. An example of this would be when a provider delivers access to a local news channel, sports channel or other local affiliate such as ABC, CBS, FOX or NBC. Fees to deliver these area-specific channels can vary depending on where a consumer lives and what channels they choose to subscribe to is not always known at the point of advertisement or display.

The FCC’s broadband label rules, the TVPA, and other federal cable regulations provide legally binding assurances that internet and multichannel video customers receive upfront disclosures regarding the price of service, as well as any discounts and fees. The bill should contain an exemption for industries already under federal regulation with respect to advertising, offer, and display of mandatory junk fees. MCCA members appreciate the opportunity to share our concerns and would ask that the author and committee consider language that could clarify these issues and not risk confusion or duplication with soon to be enacted federal law.

Sincerely,

Melissa Wolf

Executive Director, Minnesota Cable Communications Association

# Broadband Facts

## Provider Name

## Service Plan Name and/or Speed Tier

Fixed or Mobile Broadband Consumer Disclosure

## Monthly Price

[\$]

This Monthly Price [is/is not] an introductory rate. [if introductory rate is applicable, identify length of introductory period and the rate that will apply after introductory period concludes]

This Monthly Price [does not] require[s] a [x year/x month] contract. [only required if applicable; if so, provide link to terms of contract]

## Additional Charges & Terms

Provider Monthly Fees

[Itemize each fee]

[\$]

One-time Fees at the Time of Purchase

[Itemize each fee]

[\$]

Early Termination Fee

[\$]

Government Taxes

Varies by Location

## Discounts & Bundles

Click [Here](#) for available billing discounts and pricing options for broadband service bundled with other services like video, phone, and wireless service, and use of your own equipment like modems and routers. [Any links to such discounts and pricing options on the provider's website must be provided in this section.]

## Affordable Connectivity Program (ACP)

The ACP is a government program to help lower the monthly cost of internet service. To learn more about the ACP, including to find out whether you qualify, visit [affordableconnectivity.gov](https://affordableconnectivity.gov).

Participates in the ACP

[Yes/No]

## Speeds Provided with Plan

Typical Download Speed

[ ] Mbps

Typical Upload Speed

[ ] Mbps

Typical Latency

[ ] ms

## Data Included with Monthly Price

[ ] GB

Charges for Additional Data Usage

[\$/GB]

## Network Management

[Read our Policy](#)

## Privacy

[Read our Policy](#)

## Customer Support

Contact Us: [example.com/support](https://example.com/support) / (555) 555-5555

Learn more about the terms used on this label by visiting the Federal Communications Commission's Consumer Resource Center.

[fcc.gov/consumer](https://fcc.gov/consumer)

[Unique Plan Identifier Ex. F0005937974123ABC456EMC789]