

FCC Adopts New Broadband Nutrition Labels

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 .	
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	
Charges for Additional Data Usage	[] GB [\$/GB]
Network Management	Read our Policy
Privacy	Read our Policy
Customer Support	
Contact Us: 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	
[Unique Plan Identifier Ex. F0005937974123ABC456EMC789]	

FCC) has adopted [new rules](#) requiring broadband internet service consumers to easily compare broadband service offerings. The label displays critical information such as prices, speeds, fees, and data

In January 2022, the FCC launched a [rulemaking proceeding](#) in

response to a directive in the Infrastructure Investment and Jobs Act (IIJA) that required the commission to create consumer-friendly labels. The FCC's proposed rules largely drew on the voluntary labels it had [created in 2016](#), but never adopted. The FCC also hosted three public hearings on the content, format, and location of the

labels and solicited the opinion of the FCC's Consumer Advisory Committee, whose work formed the basis for the 2016 labels.

The newly adopted rules require ISPs to display:

- The monthly price for their service, including whether it is an introductory fee.
- Any additional charges and terms such as government taxes and early termination fees.
- Links to any billing discounts and pricing options for bundling with other services.
- Whether the ISP participates in the Affordable Connectivity Program (ACP).
- The speeds provided with the plan and data included in the monthly price.
- Links to the ISP's network management and privacy policies as well as customer support information.

The FCC also adopted formatting and display requirements to better enable consumers to compare information across ISPs.

The labeling requirements apply to broadband internet access services ISPs offer for purchase, whether they are fixed or mobile. ISPs must present labels to customers at each point of sale, including on an ISP's website and at other sales channels, such as at retail locations. While labels are not required on mass-marketing channels or before a customer specifies their service location, ISPs must display the actual label, not a link or icon, next to advertised plans. If ISPs cannot ensure that a customer can access the labels online at the point of sale, they may meet the labeling requirement by other means, such as by providing a hard copy of the label or, for purchases being made via phone call, by reading the entire label aloud to the customer.

Additionally, the FCC continues to seek comment on issues related to the labels, including:

- Whether the information included on the labels and the formatting requirements is sufficient.
- How to ensure the labels are accessible to those with disabilities or those who do not read English.
- How the FCC should handle labels submitted to the commission and how these labels should be displayed on its website.

Following approval of this new rule by the Office of Management and Budget (OMB), ISPs with more than 100,000 subscriber lines will have six months to comply. Smaller ISPs will have 12 months to comply.

© 2022 Perkins Coie LLP

Authors



[Marc S. Martin](#)

Partner

MMartin@perkinscoie.com [202.654.6351](tel:202.654.6351)



Ashley Connelly

Associate

AConnely@perkinscoie.com [202.654.6296](tel:202.654.6296)



Tyler D. Robbins

Associate

TRobbins@perkinscoie.com [202.654.3313](tel:202.654.3313)

Explore more in

[Technology Transactions & Privacy Law](#) [Communications](#) [Advertising, Marketing & Promotions](#)

Related insights

Update

[CFPB Finalizes Proposed Open Banking Rule on Personal Financial Data Rights](#)

Update

[FDA Food Import and Export Updates for Industry](#)