

May 5, 2026

Commissioner Samuel A. A. Levine,  
NYC Department of Consumer and Worker Protection  
42 Broadway, 8<sup>th</sup> Floor  
New York, NY 10004

RE: Opportunity to Comment on Proposed Rules Relating to Cancellation of Subscriptions

Dear Commissioner Levine,

USTelecom – The Broadband Association (“USTelecom”)<sup>1</sup> represents a large cross-section of telecommunications providers across the country, from the largest nationwide corporations to some of the smallest providers serving rural communities. From making communications networks secure, to deploying accountable AI systems that ensure resilient service, to stopping illegal and unwanted robocalls and other fraud schemes, USTelecom and its members are at the forefront of protecting the communities we connect. USTelecom opposes applying the Department of Consumer and Worker Protection (“DCWP”)’s proposed rules relating to cancellation of subscriptions to broadband and communications services because they would cause more harm than benefit to consumers.

### **The Proposed Rules Could Create Harmful Regulatory Conflict with Existing, Comprehensive FCC Regulations**

Congress has established a comprehensive framework for consumer protection in communications services, governing disclosures, billing practices, recurring charges, onboarding, customer authentication, and provider changes, and has vested the Federal Communications Commission (“FCC”) with primary authority to implement and administer those requirements. In 2021, Congress directed the FCC to adopt a single, nutrition label-style disclosure for fixed and wireless mass-market broadband service plans, to supplement the agency’s existing broadband transparency rule.<sup>2</sup> After three public hearings and a notice-and-comment proceeding, the FCC adopted labeling rules that included “accurate, simple-to-understand information about broadband internet access service [that] helps consumers make informed choices[.]”<sup>3</sup> Because the labeling rules implement a specific congressional mandate, they are not subject to agency discretion.

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<sup>1</sup> USTelecom is the premier trade association representing service providers and suppliers for the communications industry. USTelecom members provide a full array of services, including broadband, voice, data, and video over wireline and wireless networks. Its diverse membership ranges from international publicly traded corporations to local and regional companies and cooperatives, serving consumers and businesses in every corner of the country.

<sup>2</sup> See generally Final Rule, *Empowering Broadband Consumers Through Transparency*, 87 Fed. Reg. 76,959, 76,962 (Dec. 16, 2022) (“Broadband Transparency Rule”) (codified as amended at 47 C.F.R. § 8.1); see also The Infrastructure Investment and Jobs Act, Pub. L. No. 117-58, 135 Stat. 429, § 60504 (2021).

<sup>3</sup> FCC, Broadband Consumer Labels, <https://www.fcc.gov/broadbandlabels>.

The FCC’s final labeling rule reflects careful and deliberate choices about what to include and exclude as made by the expert agency with oversight of communications services acting pursuant to a specific Congressional mandate. The FCC’s rules specify what information must be displayed to a consumer at the point of sale for broadband service in order to convey the information most meaningful and relevant to consumers. Notably, the FCC declined to require certain disclosures “[i]n the interest of simplicity.”<sup>4</sup> They also prescribe the exact format for the required disclosures using a template “Nutrition Label,” and prohibit broadband providers from deviating from that format.<sup>5</sup> An additional set of disclosure requirements as proposed by the DCWP would undermine the “simplicity” that the FCC sought in crafting its own rules for broadband services and have the potential to overload customers with disclosures, contrary to the DCWP’s goal of ensuring consumers can easily cancel unwanted subscriptions.

### **Consumers Intentionally Purchase and Depend on Communications Services that Provide Continuous Connectivity**

Broadband and other communication services stand in sharp contrast to other automatic renewal services DCWP’s proposed rules seek to address. Consumers expect constant connectivity from their communications services. Consumers desire automatically renewing agreements to avoid any interruption in services that they use every day for work, education, healthcare access, public safety, as well as to stay connected with family, friends and their communities. Unlike products and services that consumers use periodically, such as health club memberships, the use of communications services is active and continuous. To best meet customers’ constant reliance on communications services, communications providers typically offer subscription models that allow for service continuity.

### **A Simple Cancellation Process is Not Helpful to a Consumer Changing Broadband Providers**

If customers do choose to cancel communications service, they typically switch providers – rather than ending service entirely. This competition creates incentive for providers to offer favorable terms and better service to retain customers. That competitive pressure is only increasing as consumers gain more choices across fiber, fixed wireless, and low-Earth orbit satellite offerings, all while providers continue aggressive investment in next-generation networks. In the context of voice service, consumers generally switch providers without directly interacting with their existing provider,<sup>6</sup> reflecting a uniquely competitive dynamic in this heavily regulated marketplace.

Indeed, many consumers who contact their provider to cancel have not necessarily made the final decision to cancel services but may instead be seeking to negotiate a better deal. An overly simplified cancellation process could short-circuit these interactions, undermining providers’ ability to extend retention offers and ultimately depriving consumers of the discounts and improved terms they are

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<sup>4</sup> Broadband Transparency Rule, 87 Fed. Reg. at 76,963.

<sup>5</sup> See 47 C.F.R. § 8.1(a)(1).

<sup>6</sup> See 47 C.F.R. Part 64 Subpart K (Changes in Preferred Telecommunications Service Providers); 47 C.F.R. Part 52 Subpart C (Number Portability).

actively seeking. Critically, these retention offers do not obstruct cancellation; providers simply present the option of a better deal, and if the consumer declines, the cancellation proceeds without delay.

**A Simple Cancellation Process is Not Conducive to the Broadband Consumer Experience**

Broadband packages often include multiple services, such as internet, television, voice, or other bundled offerings, so it is important that consumers clearly understand what they are cancelling before any account changes are finalized. Providers also need the ability to authenticate customers before making changes to an account, both to protect consumers and to prevent unauthorized cancellations or service disruptions. Finally, cancellation requirements should focus on ensuring that the process is easy to use and available through a method the consumer is accustomed to using to interact with the provider, rather than rigidly requiring cancellation through the exact same method used at sign-up.

For these reasons, USTelecom urges you to exclude communications services from any proposed rules relating to cancellation of subscription services.

Respectfully,

*/s/ B. Lynn Follansbee*

B. Lynn Follansbee  
Vice President, Strategic Initiatives & Partnerships