

February FCC Radio License Renewal Reminder

January 24, 2020

February 1, 2020: First Pre-Filing Announcements Due in Indiana, Kentucky, and Tennessee

Radio stations licensed in **Indiana, Kentucky, and Tennessee** must air the first of four pre-filing announcements on their main analog programming streams and any digital streams on Saturday, February 1, 2020 – two months prior to the April 1, 2020 license renewal deadlines for such stations. Follow-up announcements should be aired on February 16, 2020; March 1, 2020; and March 16, 2020.

Stations should maintain a record of the timing of these announcements, along with a copy of the transcript used to air them. The Federal Communications Commission (FCC or Commission) requires this information as part of its post-announcement certification process. For further details about pre-filing announcements, including required time slots, please consult Section II of the Wiley Radio Station Renewal Primer. For a sample pre-filing announcement template, please consult Attachment B. No pre-filing announcements are required for FM translator stations.

February 3, 2020: Station License Renewal Deadlines in Arkansas, Louisiana, and Mississippi

Radio stations licensed in **Arkansas, Louisiana, and Mississippi** must file license renewal applications and begin airing post-filing announcements on their main analog streams and any digital streams on Monday, February 3, 2020. Follow-up announcements should be aired on February 16, 2020, March 1, 2020; March 16, 2020; April 1, 2020; and April 16, 2020. For further details about post-filing announcements, including required time slots, please consult Section II of the primer. For a sample post-filing announcement

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template, please consult Attachment C. **Prior to filing Form 303-S applications for renewal, stations must submit a Schedule 396 Broadcast EEO Program Report.** Information regarding filing Form 303-S applications can be found in Section III of the primer and Attachment G, and information pertaining to filing the Schedule 396 Report can be found in Section IV and Attachment I.

Additionally, within seven days of broadcasting the final post-filing announcement, stations must upload statements certifying compliance with the FCC's pre-filing and post-filing notice requirements in their respective online public inspection files. A sample certification form is available in the primer under Attachment D. Finally, the FCC requires that stations publish post-filing notices at least once immediately following the filing of the license renewal applications for FM Translators. The notices should be made in daily, weekly, or biweekly newspapers published or having circulation in the communities or areas served. A sample notice is in Attachment E. We recommend uploading a certification of this publication to the station's online public inspection file. A sample can be found in Attachment F.

Important Procedural Changes for Upcoming and Pending Radio Renewal Applications

On December 20, 2019, the Media Bureau issued a Public Notice for radio station renewal applications in light of the Third Circuit's November 29, 2019 decision in *Prometheus Radio Project v. FCC* (a brief synopsis of the decision can be found [here](#)) which vacated and remanded the Commission's *2010/2014 Quadrennial Review Order on Reconsideration*. The Media Bureau also released an Order to officially reinstate the Commission's prior ownership rules on December 20, 2019 (a summary of the reinstated rules can be found [here](#)).

New Applicants. As a result, all radio licensees seeking renewal of a commercial station license **are required to report any violations of the revised Newspaper/Broadcast or Radio/Television Cross-Ownership rules in the "FCC Violations during the Preceding License Term" question in the Form 303-S.** Licensees in violation of these rules must answer "No," and provide an explanatory exhibit, even if the FCC had previously approved the acquisition of an attributable interest by the station. The Media Bureau is currently in the process of adding a new question to the renewal application on the topic.

Pending Applicants. Licensees with pending renewal applications that have not yet been amended to reflect these changes must do so immediately, **as no action will be taken on pending applications prior to the submission of this amendment.** The certification should state:

The station licensee (and each party with an attributable interest in the licensee) hereby certifies it is in compliance with the Newspaper/Broadcast and Radio/Television Cross-Ownership rules in revised 47 CFR § 73.3555.

If a licensee cannot make this certification, it must file an explanation.

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If you have any questions regarding the license renewal application or the renewal process, or concerns about your previous FCC filings or record keeping obligations, please contact the Wiley attorney who regularly handles your station matters, or an attorney listed on this alert.