

Nationwide EAS Test on September 28

FORM TWO DUE BY 11:59 P.M. THE SAME DAY

September 21, 2016

On September 28, 2016 at 2:20 p.m. EST, the Federal Emergency Management Agency (FEMA) in collaboration with the Federal Communications Commission (FCC) will conduct a nationwide test of the Emergency Alert System (EAS). All EAS Participants are required to participate in this test. EAS Participants include radio and television stations (including LPFM, Class A, and LPTV stations), cable systems, DBS, and SDARS services.

Deadlines

- **Form One:** all EAS Participants were required to file a Form One by **August 26, 2016**. If you have not filed a Form One for your facility, please register with the EAS Test Reporting System (ETRS) and file the Form One immediately.
- **Form Two:** all EAS participants must file a Form Two through ETRS by **September 28, 2016, 11:59 p.m. EST**. A separate Form Two must be filed for each station or cable headend. The Form Two notifies the FCC whether the station or cable headend received (and as appropriate, retransmitted) the nationwide EAS test message.
- **Form Three:** on or before **November 14, 2016**, all EAS Participants must file a Form Three using ETRS. The Form Three prompts EAS Participants to provide more detailed information about their participation in the nationwide EAS test, including feedback on the success or failure of the test at each particular station or cable headend.

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Practice Areas

Media
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The **Form Two** must be filed within hours of the completion of the nationwide test. While this form is not yet available, the FCC advises that the following information will be required:

- Legal Name of EAS Participant: this is the licensee name (not the call sign of the station)
- FCC Registration Number (FRN)
- EAS Participant – choose the best description from the list (broadcaster, cable, etc.)
- If you choose “Broadcaster,” two additional fields will appear. Enter the facility ID number and the call sign of the station for which you are filing the form.
- If you choose “Cable Operator,” an additional field will appear requesting the FCC-assigned Physical System ID number for that headend.
- Email address for the person filing the form
- Answer “yes” or “no” to indicate whether your station or cable headend received the EAS alert
- If you answer “yes” an additional field will appear asking whether you were able to send the alert to a downstream station. Answer “yes” or “no.”
- Click SUBMIT to file the report

The FCC cautions that the Form Two cannot be amended once it is filed. If the filed report contains incorrect information, you will need to file a new Form Two for the station or cable headend.

If you have any questions about the upcoming nationwide EAS test or Forms One, Two, or Three, please contact one of the Wiley Rein attorneys listed.