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## 2011 Broadcasters' Calendar

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### Items of Note in 2011

1. **Applications for Renewal of License:** June 1, 2011 is the first filing date of the three-year period during which the licensees of all commercial and noncommercial AM, FM and FM Translator stations throughout the United States and its territories will be required to file their applications for renewal of broadcast station license. Licensees in the television services will commence this process in 2012. The date on which a station's application is due depends on the state or territory of its community of license. All licensees should familiarize themselves now with the dates associated with this important filing, including the dates on which public notice announcements must air in advance of the renewal filing; the filing date itself, which is approximately four months before the date of license expiration; and the dates on which post-filing announcements must air.
2. **Biennial Ownership Report Filing Requirements for Commercial Radio and Television Stations:** Licensees of commercial, full-power radio and television stations as well as Class A television and low power television stations should be ready to file their biennial ownership reports on FCC Form 323 by the new, uniform filing date of November 1, 2011. While these licensees may have filed a biennial report as recently as the summer of 2010, that report fulfilled the reporting obligation for the period that ended on November 1, 2009. Only because of difficulties with the FCC's electronic filing system was the November 1, 2009 deadline ultimately extended to July 8, 2010.
3. **DTV Quarterly Activity Station Report on FCC Form 388:** This filing, which reports on a television station's efforts to educate consumers as to issues surrounding the station's transition to digital television, is no longer required to be filed by the majority of television stations because they have completed the transition to their full and final digital facilities and therefore ceased public information activities. However, for those stations that have not completed the transition, the consumer education requirements continue to apply, as does the requirement to file FCC Form 388 quarterly. Accordingly, due dates for that filing are noted for each quarter for the benefit of stations still subject to this obligation.
4. **Television Station Quarterly Issues/Programs Lists:** The FCC previously adopted a new form, FCC Form 355, to replace the Quarterly Issues/Programs List filings by television stations. However, use of that form has not been made effective as of the date of this publication. Accordingly, television stations should continue to timely place their issues/programs lists in their

public inspection files. Television broadcasters should be alert to a future announcement regarding the effective and due dates of the Form 355.

5. **Television Station Online Public File:** The FCC previously adopted a requirement that television stations duplicate the content of their public inspection files on the Internet, if they have a website. As of the date of this publication, this requirement is not legally effective. Accordingly, television stations are not presently required to maintain duplicate “online” public inspection files. Broadcasters should be alert to a future announcement regarding possible implementation of the online public file requirement.
6. **Broadcast Annual Employment Report on FCC Form 395-B:** The FCC suspended use of this form in 2001 in connection with the revision of its EEO Rule. In 2004, the Commission announced that it would resume use of the form and would advise the broadcast industry of the due date for the first filing of the reinstated form. As of the date of this publication, no such announcement has been made. Broadcasters should be alert to a future announcement regarding the possible reinstatement of this filing requirement. While the Form 395-B is currently suspended, other important EEO outreach and reporting obligations remain in effect, and their 2011 milestone dates are noted in this Calendar.
7. **Cable and Satellite Carriage Elections:** Every three years, commercial television stations with must-carry rights are required to elect either retransmission consent or mandatory carriage (must-carry) on local cable and satellite systems for the upcoming three-year period. By October 1, 2011, such stations must send their election notices to affected cable and satellite providers. This election will govern stations' carriage for the period from January 1, 2012 through December 31, 2014.

### Disclaimer

The following deadlines are based on information known by us as of the date hereof. These deadlines may or may not apply to any particular broadcaster. These deadlines are provided for general informational purposes only and should be double-checked for currency close to each pertinent date/deadline. Actions by the FCC, Congress, or the courts could affect any of these deadlines by, for example, eliminating a particular reporting/filing obligation altogether or modifying the form used, content, deadline, fee, or manner of reporting/filing. It should also be noted that, as a general rule, when a deadline for filing a document with the FCC falls on a weekend or a federal holiday, the filing deadline will shift to the immediate next business day. The listing of deadlines below is not intended to be complete or exhaustive of all regulatory and non-regulatory deadlines that may apply to a given broadcaster year-to-year. Accordingly, broadcasters should seek the advice of communications counsel in each instance to assure timely and proper filing. This edition of our annual “Broadcasters’ Calendar” supersedes all prior editions and accordingly any prior editions should no longer be used.

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## January 10

**Quarterly Issues/Programs List Required**—All full-power **radio**, full-power **television**, and **Class A television** stations must place in their public inspection files by this date the Quarterly Issues/Programs List covering the period October 1, 2010 through December 31, 2010.

**Certification of Children’s Commercial Time Limitations Required**—Commercial full-power and Class A **television** stations must place in their public inspection files by this date records “sufficient to verify compliance” with the FCC’s commercial time limitations in children’s programming broadcast during the period October 1, 2010 through December 31, 2010. As of the date of this publication, these records are not required to be filed with the FCC.

**FCC Form 398 Children’s Programming Report Due**—Commercial full-power and Class A **television** stations must by this date electronically file FCC Form 398 demonstrating their responsiveness to “the educational and informational needs of children” for the period October 1, 2010 through December 31, 2010, and place the form as filed in the station’s public inspection file.

**FCC Form 388 DTV Consumer Education Report Due**—All full-power **television** stations that have not yet completed construction and commenced operation of their final post-transition DTV facilities must by this date electronically file FCC Form 388 demonstrating their compliance with DTV consumer education initiative requirements for the period October 1, 2010 through December 31, 2010. The form as filed must also be placed in the station’s public inspection file and posted to the station’s website (if it has one) by this date.

**Class A Television Continuing Eligibility Certification**—**Class A television** stations are required to maintain documentation in their public inspection files sufficient to demonstrate continuing compliance with the FCC’s Class A eligibility requirements. We recommend that by this date Class A television stations generate such documentation for the period October 1, 2010 through December 31, 2010 and place it in their public inspection files.

## January 14

**Copyright Royalty Fee – Monthly Report of Use and Monthly Usage Statement of Account Forms Due**—Commercial and noncommercial webcasters and online simulcasters must file Monthly Report of Use and Monthly Usage Statement of Account forms for the month ending November 30, 2010.

## January 31

**Copyright Royalty Fee – Annual Minimum Fee Statement of Account Form Due**—By this date, most commercial and noncommercial webcasters and those simulcasting radio programming over the Internet **must submit the Minimum Fee Statement of Account Form** and the annual \$500 copyright royalty fee to SoundExchange. January 31 is also the date by which certain webcasters and simulcasters are eligible to make elections affecting their royalty rates and reporting requirements for one or more of the upcoming years. If your **radio** broadcast station is simulcast or rebroadcast over the Internet, we encourage you to consult qualified counsel with regard to your obligations.

## February 1

**Annual EEO Public File Report Required**—Station employment units (“SEUs”) that have five or more full-time employees and are comprised of **radio and/or television** stations licensed to communities in

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**Arkansas, Kansas, Louisiana, Mississippi, Nebraska, New Jersey, New York, and Oklahoma** must by this date place in their public inspection files (and post on their station website, if there is one), a report regarding station compliance with the FCC's EEO Rule during the period February 1, 2010 through January 31, 2011. A more detailed review of station EEO obligations and the steps for implementing an effective EEO program can be found in our most recent EEO Advisory.

**FCC Form 397 EEO Mid-Term Report Due**—SEUs comprised of **television** stations licensed to communities in **New Jersey and New York**, regardless of staff size, must by this date electronically file with the FCC the FCC Form 397 Broadcast Mid-Term Report and place the form as filed in the stations' public inspection files. Television SEUs with five or more full-time employees are required **also** to submit copies of the SEU's two most recent Annual EEO Public File Reports with their 397 filing. Affected SEUs that have been the subject of a prior FCC EEO audit are not exempt from this Form 397 filing requirement.

**FCC Form 323-E Biennial Ownership Report Due**—Noncommercial **radio** stations licensed to communities in **Kansas, Nebraska, and Oklahoma** and noncommercial **television** stations licensed to communities in **Arkansas, Louisiana, Mississippi, New Jersey and New York** (other than sole proprietorships or partnerships composed entirely of natural persons) must electronically file by this date their biennial ownership reports on FCC Form 323-E, unless they have consolidated this filing date with that of other commonly owned stations licensed to communities in other states. FCC Form 323-E does not require a filing fee. The form as filed must be placed in stations' public inspection files.

#### February 14

**Copyright Royalty Fee – Monthly Usage Statement of Account Form and Quarterly Report of Use Form Due**—Commercial and noncommercial webcasters and those simulcasting radio programming over the Internet must by this date submit the Monthly Report of Use and Monthly Usage Statement of Account forms to SoundExchange for the month ending December 31, 2010.

#### March 17

**Copyright Royalty Fee – Monthly Usage Statement of Account Form Due**—Commercial and noncommercial webcasters and those simulcasting radio programming over the Internet must by this date submit the Monthly Report of Use and Monthly Usage Statement of Account forms to SoundExchange for the month ending January 31, 2011.

#### April 1

**Pre-filing License Renewal Announcements for Radio Stations**—Full-power AM and FM **radio** broadcast stations licensed to communities in the **District of Columbia, Maryland, Virginia and West Virginia** must on this date begin to air their pre-filing license renewal announcements in accordance with the FCC's regulations.

**Annual EEO Public File Report Required**—Station employment units ("SEUs") that have five or more full-time employees and are comprised of **radio and/or television** stations licensed to communities in **Delaware, Indiana, Kentucky, Pennsylvania, Tennessee, and Texas** must by this date place in their public inspection files (and post on their station website, if there is one), a report regarding station compliance with the FCC's EEO Rule during the period April 1, 2010 through March 31, 2011. A more detailed review of station EEO obligations and the steps for implementing an effective EEO program can be found in our most recent EEO Advisory.

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**FCC Form 397 EEO Mid-Term Report Due**—SEUs comprised of **television** stations licensed to communities in **Delaware and Pennsylvania**, regardless of staff size, must by this date electronically file with the FCC the FCC Form 397 Broadcast Mid-Term Report and place the form as filed in the stations' public inspection files. Television SEUs with five or more full-time employees are required **also** to submit copies of the SEU's two most recent Annual EEO Public File Reports with their 397 filing. Affected SEUs that have been the subject of a prior FCC EEO audit are not exempt from this Form 397 filing requirement.

**FCC Form 323-E Biennial Ownership Report Due**—Noncommercial **radio** stations licensed to communities in **Texas** and noncommercial **television** stations licensed to communities in **Delaware, Indiana, Kentucky, Pennsylvania, and Tennessee** (other than sole proprietorships or partnerships composed entirely of natural persons) must electronically file by this date their biennial ownership reports on FCC Form 323-E, unless they have consolidated this filing date with that of other commonly owned stations licensed to communities in other states. FCC Form 323-E does not require a filing fee. The form as filed must be placed in stations' public inspection files.

### April 10

**Quarterly Issues/Programs List Required**—All full-power **radio**, full-power **television**, and **Class A television** stations must place in their public inspection files by this date the Quarterly Issues/Programs List covering the period January 1, 2011 through March 31, 2011.

**Certification of Children's Commercial Time Limitations Required**—Commercial full-power and Class A **television** stations must place in their public inspection files by this date records "sufficient to verify compliance" with the FCC's commercial time limitations in children's programming broadcast during the period January 1, 2011 through March 31, 2011. As of the date of this publication, these records are not required to be filed with the FCC.

**FCC Form 398 Children's Programming Report Due**—Commercial full-power and Class A **television** stations must by this date electronically file FCC Form 398 demonstrating their responsiveness to "the educational and informational needs of children" for the period January 1, 2011 through March 31, 2011, and place the form as filed in the stations' public inspection files.

**FCC Form 388 DTV Consumer Education Report Due**—All full-power **television** stations that have not yet completed construction and commenced operation of their final post-transition DTV facilities must electronically file by this date FCC Form 388 demonstrating their compliance with DTV consumer education initiative requirements for the period January 1, 2011 through March 31, 2011. The form as filed must also be placed in the station's public inspection file and posted to the station's website (if it has one) by this date.

**Class A Television Continuing Eligibility Certification**—**Class A television** stations are required to maintain documentation in their public inspection files sufficient to demonstrate continuing compliance with the FCC's Class A eligibility requirements. We recommend that by this date Class A television stations generate such documentation for the period January 1, 2011 through March 31, 2011 and place it in their public inspection files.

### April 14

**Copyright Royalty Fee – Monthly Usage Statement of Account Form Due**—Commercial and noncommercial webcasters and those simulcasting radio programming over the Internet must by this date

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submit the Monthly Report of Use and Monthly Usage Statement of Account forms to SoundExchange for the month ending February 28, 2011.

### May 15

**Copyright Royalty Fee – Monthly Usage Statement of Account Form and Quarterly Report of Use Form Due**—Commercial and noncommercial webcasters and those simulcasting radio programming over the Internet must submit by this date the Monthly Report of Use and Monthly Usage Statement of Account forms to SoundExchange for the month ending March 31, 2011.

### June 1

**Filing of Applications for Renewal of Licenses for Radio Stations**—Full-power AM and FM radio broadcast stations, as well as **FM Translator** stations, licensed to communities in the **District of Columbia, Maryland, Virginia and West Virginia** must electronically file their applications for renewal of license on FCC Form 303-S, along with their Equal Opportunity Employment Reports on FCC Form 396 and their FCC filing fee by this date. FCC Forms 303-S and 396 as filed must be placed in stations' public inspection files.

**Post-filing License Renewal Announcements for Radio Stations**—Full-power AM and FM radio broadcast stations licensed to communities in the **District of Columbia, Maryland, Virginia and West Virginia** must begin on this date to air their post-filing license renewal announcements in accordance with the FCC's regulations. **FM Translator** stations licensed to communities in these states must arrange for the required newspaper public notice of their license renewal application filing.

**Pre-filing License Renewal Announcements for Radio Stations**—Full-power AM and FM broadcast radio stations licensed to communities in **North Carolina and South Carolina** must on this date begin to air their pre-filing license renewal announcements in accordance with the FCC's regulations.

**Annual EEO Public File Report Required**—Station employment units ("SEUs") that have five or more full-time employees and are comprised of **radio and/or television** stations licensed to communities in **Arizona, the District of Columbia, Idaho, Maryland, Michigan, Nevada, New Mexico, Ohio, Utah, Virginia, West Virginia, and Wyoming** must by this date place in their public inspection files (and post on their station website, if there is one), a report regarding station compliance with the FCC's EEO Rule during the period June 1, 2010 through May 30, 2011. A more detailed review of station EEO obligations and the steps for implementing an effective EEO program can be found in our most recent EEO Advisory.

**FCC Form 323-E Biennial Ownership Report Due**—Noncommercial **radio** stations licensed to communities in **Arizona, the District of Columbia, Idaho, Maryland, Nevada, New Mexico, Utah, Virginia, West Virginia, and Wyoming** and noncommercial **television** stations licensed to communities in **Michigan and Ohio** (other than sole proprietorships or partnerships composed entirely of natural persons) must electronically file by this date their biennial ownership reports on FCC Form 323-E, unless they have consolidated this filing date with that of other commonly owned stations licensed to communities in other states. FCC Form 323-E does not require a filing fee. The form as filed must be placed in stations' public inspection files.

### June 14

**Copyright Royalty Fee – Monthly Usage Statement of Account Form Due**—Commercial and noncommercial webcasters and those simulcasting radio programming over the Internet must by this date

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submit to SoundExchange the Monthly Report of Use and Monthly Usage Statement of Account forms for the month ending April 30, 2011.

## July

**Regulatory Fees Announced**—The FCC is expected to release a Public Notice this month indicating the dates by which annual regulatory fees must be filed with the FCC and the amounts of those fees. Broadcasters should be alert to this announcement.

## July 10

**Quarterly Issues/Programs List Required**—All full-power **radio**, full-power **television**, and **Class A television** stations must place in their public inspection files by this date the Quarterly Issues/Programs List covering the period April 1, 2011 through June 30, 2011.

**Certification of Children’s Commercial Time Limitations Required**—Commercial full-power and Class A **television** stations must place in their public inspection files by this date records “sufficient to verify compliance” with the FCC’s commercial time limitations in children’s programming broadcast during the period April 1, 2011 through June 30, 2011. As of the date of this publication, these records are not required to be filed with the FCC.

**FCC Form 398 Children’s Programming Report Due**—Commercial full-power and Class A **television** stations must by this date electronically file FCC Form 398, demonstrating their responsiveness to “the educational and informational needs of children” for the period April 1, 2011 through June 30, 2011, and place the form as filed in the stations’ public inspection files.

**FCC Form 388 DTV Consumer Education Report Due**—All full-power **television** stations that have not yet completed construction and commenced operation of their final post-transition DTV facilities must electronically file by this date FCC Form 388 demonstrating their compliance with DTV consumer education initiative requirements for the period April 1, 2011 through June 30, 2011. The form as filed must also be placed in the station’s public inspection file and posted to the station’s website (if it has one) by this date.

**Class A Television Continuing Eligibility Certification**—**Class A television** stations are required to maintain documentation in their public inspection files sufficient to demonstrate continuing compliance with the FCC’s Class A eligibility requirements. We recommend that by this date Class A television stations generate such documentation for the period April 1, 2011 through June 30, 2011 and place it in their public inspection files.

## July 15

**Copyright Royalty Fee – Monthly Usage Statement of Account Form Due**—Commercial and noncommercial webcasters and those simulcasting radio programming over the Internet must by this date submit the Monthly Report of Use and Monthly Usage Statement of Account forms to SoundExchange for the month ending May 31, 2011.

## July 31

**Copyright Royalty Claims Due**—**Television** stations with locally-produced programming whose signals were carried as distant signals by at least one cable system in 2010, and **television** stations with locally-

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produced programming whose signals were carried by at least one satellite carrier for home viewing in 2010, are eligible to file royalty claims for compensation with the Copyright Office in Washington, DC by this date. Under the federal Copyright Act, cable systems and satellite operators must pay “compulsory license” royalties to carry TV signals on their systems. The royalties are used to compensate the owners of copyrighted works broadcast on those signals. After the royalties are collected from cable systems and satellite operators, and claims are filed, proceedings are held by the Copyright Office to divide the royalties among the copyright owner groups who claim shares of the royalty fund. The annual royalty fund for cable exceeds \$100 million, and the annual royalty fund for satellite exceeds \$60 million. Stations that do not file claims by the deadline will not be able to collect royalties for carriage of their signals during 2010.

### August 1

**Filing of Applications for Renewal of Licenses for Radio Stations**—Full-power AM and FM radio broadcast stations, as well as **FM Translator** stations, licensed to communities in **North Carolina and South Carolina** must electronically file their applications for renewal of license on FCC Form 303-S, along with their Equal Opportunity Employment Reports on FCC Form 396 and their FCC filing fee by this date. FCC Forms 303-S and 396 as filed must be placed in stations’ public inspection files.

**Post-filing License Renewal Announcements for Radio Stations**—Full-power AM and FM radio broadcast stations licensed to communities in **North Carolina and South Carolina** must begin on this date to air their post-filing license renewal announcements in accordance with the FCC’s regulations. **FM Translator** stations licensed to communities in these states must arrange for the required newspaper public notice of their license renewal application filing.

**Pre-filing License Renewal Announcements for Radio Stations**—Full-power AM and FM broadcast radio stations licensed to communities in **Florida, Puerto Rico and the Virgin Islands** must begin on this date to air their pre-filing license renewal announcements in accordance with the FCC’s regulations.

**Annual EEO Public File Report Required**—Station employment units (“SEUs”) that have five or more full-time employees and are comprised of **radio and/or television** stations licensed to communities in **California, Illinois, North Carolina, South Carolina, and Wisconsin** must by this date place in their public inspection files (and post on their station website, if there is one), a report regarding station compliance with the FCC’s EEO Rule during the period August 1, 2010 through July 31, 2011. A more detailed review of station EEO obligations and the steps for implementing an effective EEO program can be found in our most recent EEO Advisory.

**FCC Form 323-E Biennial Ownership Report Due**—Noncommercial **radio** stations licensed to communities in **California, North Carolina, and South Carolina** and noncommercial **television** stations licensed to communities in **Illinois and Wisconsin** (other than sole proprietorships or partnerships composed entirely of natural persons) must electronically file by this date their biennial ownership reports on FCC Form 323-E, unless they have consolidated this filing date with that of other commonly owned stations licensed to communities in other states. FCC Form 323-E does not require a filing fee. The form as filed must be placed in stations’ public inspection files.

### August 14

**Copyright Royalty Fee – Monthly Usage Statement of Account Form and Quarterly Report of Use Form Due**—Commercial and noncommercial webcasters and those simulcasting radio programming over the Internet must by this date submit the Monthly Report of Use and Monthly Usage Statement of Account forms to SoundExchange for the month ending June 30, 2011.

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## September 14

**Copyright Royalty Fee – Monthly Usage Statement of Account Form Due**—Commercial and noncommercial webcasters and those simulcasting radio programming over the Internet must by this date submit the Monthly Report of Use and Monthly Usage Statement of Account forms to SoundExchange for the month ending July 31, 2011.

## September 30

**EEO 1 Report Due**—Broadcasters that are subject to the federal Equal Employment Opportunity Commission's (EEOC) reporting requirements must file their EEO 1 Report (Form 100) by this date. We encourage you to consult with counsel familiar with this regulatory area and to visit <http://www.eeoc.gov/employers/eo1survey>.

**Traditional Deadline for the filing of Suspended FCC Form 395-B**—This is the traditional date used by the FCC as the deadline for the filing of FCC Form 395-B, the Broadcast Annual Employment Report. As of the date of this publication, this filing requirement remains suspended.

## October 1

**Cable and Satellite Carriage Elections**—Every three years, commercial television stations with must-carry rights are required to elect either retransmission consent or mandatory carriage (must-carry) on local cable and satellite systems for the upcoming three-year period. By this date, such stations must send their election notices to affected cable and satellite providers. This election will govern stations' carriage for the period from January 1, 2012 through December 31, 2014.

**Filing of Applications for Renewal of Licenses for Radio Stations**—Full-power AM and FM radio broadcast stations, as well as **FM Translator** stations, licensed to communities in **Florida, Puerto Rico, and the Virgin Islands** must electronically file by this date their applications for renewal of license on FCC Form 303-S, along with their Equal Opportunity Employment Reports on FCC Form 396 and their FCC filing fee. FCC Forms 303-S and 396 as filed must be placed in stations' public inspection files.

**Post-filing License Renewal Announcements for Radio Stations**—Full-power AM and FM radio broadcast stations licensed to communities in **Florida, Puerto Rico, and the Virgin Islands** must begin on this date to air their post-filing license renewal announcements in accordance with the FCC's regulations. **FM Translator** stations licensed to communities in these states must arrange for the required newspaper public notice of their license renewal application filing.

**Pre-filing License Renewal Announcements for Radio Stations**—Full-power AM and FM radio broadcast stations licensed to communities in **Alabama and Georgia** must begin on this date to air their pre-filing license renewal announcements in accordance with the FCC's regulations.

**Annual EEO Public File Report Required**—Station employment units ("SEUs") that have five or more full-time employees and are comprised of **radio and/or television** stations licensed to communities in **Alaska, American Samoa, Florida, Guam, Hawaii, Iowa, the Mariana Islands, Missouri, Oregon, Puerto Rico, the Virgin Islands, and Washington** must by this date place in their public inspection files (and post on their station website, if there is one), a report regarding station compliance with the FCC's EEO Rule during the period October 1, 2010 through September 30, 2011. A more detailed review of station EEO obligations and the steps for implementing an effective EEO program can be found in our most recent EEO Advisory.

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**FCC Form 323-E Biennial Ownership Report Due**—Noncommercial **radio** stations licensed to communities in **Alaska, American Samoa, Florida, Guam, Hawaii, the Mariana Islands, Oregon, Puerto Rico, the Virgin Islands, and Washington** and noncommercial **television** stations licensed to communities in **Iowa and Missouri** (other than sole proprietorships or partnerships composed entirely of natural persons) must electronically file by this date their biennial ownership reports on FCC Form 323-E, unless they have consolidated this filing date with that of other commonly owned stations licensed to communities in other states. FCC Form 323-E does not require a filing fee. The form as filed must be placed in stations' public inspection files.

### October 10

**Quarterly Issues/Programs List Required**—All full-power **radio**, full-power **television**, and **Class A television** stations must place in their public inspection files by this date the Quarterly Issues/Programs List covering the period July 1, 2011 through September 30, 2011.

**Certification of Children's Commercial Time Limitations Required**—Commercial full-power and Class A **television** stations must place in their public inspection files by this date records "sufficient to verify compliance" with the FCC's commercial time limitations in children's programming broadcast during the period July 1, 2011 through September 30, 2011. As of the date of this publication, these records are not required to be filed with the FCC.

**FCC Form 398 Children's Programming Report Due**—Commercial full-power and Class A **television** stations must by this date electronically file FCC Form 398, demonstrating their responsiveness to "the educational and informational needs of children" for the period July 1, 2011 through September 30, 2011, and place the form as filed in the stations' public inspection files.

**FCC Form 388 DTV Consumer Education Report Due**—All full-power **television** stations that have not yet completed construction and commenced operation of their final post-transition DTV facilities must electronically file by this date FCC Form 388 demonstrating their compliance with DTV consumer education initiative requirements for the period July 1, 2011 through September 30, 2011. The form as filed must also be placed in the station's public inspection file and posted to the station's website (if it has one) by this date.

**Class A Television Continuing Eligibility Certification**—**Class A television** stations are required to maintain documentation in their public inspection files sufficient to demonstrate continuing compliance with the FCC's Class A eligibility requirements. We recommend that by this date Class A television stations generate such documentation for the period July 1, 2011 through September 30, 2011 and place it in their public inspection files.

### October 15

**Copyright Royalty Fee – Monthly Usage Statement of Account Form Due**— Commercial and noncommercial webcasters and those simulcasting radio programming over the Internet must by this date submit the Monthly Report of Use and Monthly Usage Statement of Account forms to SoundExchange for the month ending August 31, 2011.

### November 1

**FCC Form 323 Biennial Ownership Report Due**—All commercial **radio, television, low power television and Class A television** stations must electronically file by this date their biennial ownership

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reports on FCC Form 323 and pay the required FCC filing fee. FCC Form 323 as filed must be placed in stations' public inspection files.

### November 14

**Copyright Royalty Fee – Monthly Usage Statement of Account Form and Quarterly Report of Use Form Due**—Commercial and noncommercial webcasters and those simulcasting radio programming over the Internet must by this date submit the Monthly Report of Use and Monthly Usage Statement of Account forms to SoundExchange for the month ending September 30, 2011.

### December 1

**Filing of Applications for Renewal of Licenses for Radio Stations**—Full-power AM and FM radio broadcast stations, as well as **FM Translator** stations, licensed to communities in **Alabama and Georgia** must by this date electronically file their applications for renewal of license on FCC Form 303-S, along with their Equal Opportunity Employment Reports on FCC Form 396 and their FCC filing fee. FCC Forms 303-S and 396 as filed must be placed in stations' public inspection files.

**Post-filing License Renewal Announcements for Radio Stations**—Full-power AM and FM radio broadcast stations licensed to communities in **Alabama and Georgia** must begin on this date to air their post-filing license renewal announcements in accordance with the FCC's regulations. **FM Translator** stations must arrange for the required newspaper public notice of their license renewal application filing.

**Pre-filing License Renewal Announcements for Radio Stations**—Full-power AM and FM radio broadcast stations licensed to communities in **Arkansas, Louisiana and Mississippi** must begin on this date to air their pre-filing license renewal announcements in accordance with the FCC's regulations.

**Annual EEO Public File Report Required**—Station employment units ("SEUs") that have five or more full-time employees and are comprised of **radio and/or television** stations licensed to communities in **Alabama, Colorado, Connecticut, Georgia, Maine, Massachusetts, Minnesota, Montana, New Hampshire, North Dakota, Rhode Island, South Dakota, and Vermont** must by this date place in their public inspection files (and post on their station website, if there is one), a report regarding station compliance with the FCC's EEO Rule during the period December 1, 2010 through November 30, 2011. A more detailed review of station EEO obligations and the steps for implementing an effective EEO program can be found in our most recent EEO Advisory.

**FCC Form 323-E Biennial Ownership Report Due**—Noncommercial **radio** stations licensed to communities in **Alabama, Connecticut, Georgia, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont** and noncommercial **television** stations licensed to communities in **Colorado, Minnesota, Montana, North Dakota, and South Dakota** (other than sole proprietorships or partnerships composed entirely of natural persons) must electronically file by this date their biennial ownership reports on FCC Form 323-E, unless they have consolidated this filing date with that of other commonly owned stations licensed to communities in other states. FCC Form 323-E does not require a filing fee. The form as filed must be placed in stations' public inspection files.

**FCC Form 317 DTV Ancillary/Supplementary Services Report Due**—Commercial **television** stations must by this date electronically file FCC Form 317 Annual DTV Ancillary/Supplementary Services Report for Commercial Digital Television Stations with the FCC whether or not they have received any income from ancillary or supplementary services. If a DTV station provided ancillary or supplementary services during the 12-month time period ending on the preceding September 30, and received compensation for

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doing so, the station is required to pay five percent of the gross revenue from such services concurrently with the filing of Form 317. As of the date of this publication, the FCC is considering extending this filing requirement to **Class A television** stations. Class A television licensees should be alert to a possible announcement requiring the filing of this form.

### December 15

**Copyright Royalty Fee – Monthly Usage Statement of Account Form Due**—Commercial and noncommercial webcasters and those simulcasting radio programming over the Internet must by this date submit the Monthly Report of Use and Monthly Usage Statement of Account forms to SoundExchange for the month ending October 31, 2011.

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