
Broadcasters' Calendar

Items of Note in 2012

- I. *Applications for Renewal of License:* The three year long license renewal cycle for broadcast stations in radio services (AM, FM, FM Translator) which began on June 1, 2011 continues in 2012. Licensees in the television services will begin the license renewal process in 2012, starting with television, Class A, LPTV, and TV translator stations located in Maryland, Virginia, West Virginia, and Washington, D.C., whose license renewal applications must be filed by June 1, 2012. The date on which a station's license renewal application is due depends on the state or territory in which its community of license is located. 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 license 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.
- II. *Biennial Ownership Report Filing Requirements:* Commercial radio, television, Class A television and LPTV stations will not file biennial ownership reports in 2012. Their next report is due on November 1, 2013. As of this publication, noncommercial radio and television stations will continue to file every other year on the anniversary date of their license renewal filing. As noted above, this date will depend on the state or territory of each station's community of license.
- III. *Television Station Online Public File:* The FCC is proposing to adopt a requirement that television stations largely maintain the contents of their public inspection files (including their political files) on the Commission's website. Comments on the FCC's online public file proposals were due on **December 22, 2011**, and reply comments are due on **January 17, 2012**. Accordingly, television stations are not presently required to maintain online public inspection files, but should be alert to any future announcement regarding implementation of an online public file requirement.
- IV. *Quarterly Issues/Programs Lists:* As of this publication, radio, television and Class A television licensees must continue to prepare and place these documents in their public inspection files on a quarterly basis on the dates noted. Television broadcasters should be alert to a future announcement regarding the effective and due dates of a new form the FCC has proposed to replace the Quarterly Issues/Programs List. The FCC previously adopted a new form, FCC Form 355, to replace the Quarterly Issues/Programs List for television stations. While that form was later rescinded before becoming effective, the FCC issued a Notice of Inquiry proposing a new FCC Form to replace the current issues/programs list. The new form will require that *television* broadcasters document specific details regarding their public interest service that will need to be submitted to the FCC for inclusion in

the proposed online public inspection file discussed above. As of this publication, comments in that proceeding are due by **January 17, 2012**, and reply comments by **January 30, 2012**. Because the FCC must issue a Notice of Proposed Rulemaking prior to implementing any new rules, it may be some time until any new reporting form will be adopted and become effective.

- V. 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 2012 deadline dates are noted in this Calendar.

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.

January 1

Pre-filing Renewal Announcements for Radio Stations—Full-power AM and FM **radio** broadcast stations licensed to communities in **Arkansas, Louisiana, and Mississippi** must on this date air the third of their pre-filing license renewal announcements in accordance with the FCC's regulations. These stations' final pre-filing announcement must be aired on January 16.

Post-filing Renewal Announcements for Radio Stations—Full-power AM and FM **radio** broadcast stations licensed to communities in **Alabama and Georgia** must on this date air the third of their post-filing license renewal announcements in accordance with the FCC's regulations. Additional announcements must air on January 16, February 1 and February 16.

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, 2011 through December 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 October 1, 2011 through December 31, 2011.

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, 2011 through December 31, 2011, and place a copy of the form as filed with the FCC in the station's public inspection file.

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, 2011 through December 31, 2011 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, 2011.

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 the upcoming year. 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 that have five or more full-time employees and are comprised of **radio and/or television** stations licensed to communities in **Arkansas, Kansas, Louisiana, Mississippi, Nebraska, New Jersey, New York, or Oklahoma** must by this date place in their public inspection file and post on their station website a report regarding station compliance with the FCC's EEO Rule during the period February 1, 2011 through January 31, 2012. 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 **Arkansas, Louisiana, Mississippi, New Jersey, or New York**, and **noncommercial television** stations licensed to communities in **Kansas, Nebraska or Oklahoma** (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.

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 **Arkansas, Louisiana or Mississippi** 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 by this date, and commercial stations must promptly submit their FCC license renewal application filing fee. FCC Forms 303-S and 396 as filed must be placed in stations' public inspection files.

Post-filing Renewal Announcements for Radio Stations—Full-power AM and FM **radio** broadcast stations licensed to communities in **Arkansas, Louisiana or Mississippi** must begin on this date to air their post-filing license renewal announcements in accordance with the FCC's regulations. Additional announcements must air on February 16, March 1, March 16, April 1 and April 16. **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 Renewal Announcements for Radio Stations—Full-power AM and FM **radio** broadcast stations licensed to communities in **Indiana, Kentucky or Tennessee** must on this date begin to air their pre-filing renewal announcements in accordance with the FCC's regulations. Additional announcements must air on February 16, March 1 and March 16.

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, 2011.

March 16

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, 2012.

April 1

Annual EEO Public File Report Required—Station employment units 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 or Texas** must by this date place in their public inspection file and post on their station website a report regarding station compliance with the FCC's EEO Rule during the period April 1, 2011 through March 31, 2012. 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 **Delaware, Indiana, Kentucky, Pennsylvania or Tennessee** and **noncommercial television** stations licensed to communities in **Texas** (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. Note that since this filing deadline falls on a weekend, the submission of this item to the FCC can be made on April 2.

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 **Indiana, Kentucky or Tennessee** 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 by this date, and commercial stations must promptly submit their FCC license renewal application filing fee. Note that since this filing deadline falls on a weekend, the submission of this item to the FCC can be made on April 2. FCC Forms 303-S and 396 as filed must be placed in stations' public inspection files.

Post-filing Renewal Announcements for Radio Stations—Full-power AM and FM **radio** broadcast stations licensed to communities in **Indiana, Kentucky or Tennessee** must begin on this date to air their post-filing license renewal announcements in accordance with the FCC's regulations. Additional announcements must air on April 16, May 1, May 16, June 1 and June 16. **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 Renewal Announcements for Radio and Television Stations—Full-power AM and FM **radio** broadcast stations licensed to communities in **Michigan or Ohio**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Maryland, Virginia, West Virginia or the District of Columbia** must on this date begin to air their pre-filing renewal announcements in accordance with the FCC's regulations. Additional announcements must air on April 16, May 1 and May 16.

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, 2012 through March 31, 2012.

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, 2012 through March 31, 2012.

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, 2012 through March 31, 2012, and place a copy of the form as filed with the FCC in the station's public inspection file.

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, 2012 through March 31, 2012 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

submit the Monthly Report of Use and Monthly Usage Statement of Account forms to SoundExchange for the month ending February 29, 2012.

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, 2012.

June 1

Annual EEO Public File Report Required—Station employment units 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 or Wyoming** must by this date place in their public inspection file and post on their station website a report regarding station compliance with the FCC's EEO Rule during the period June 1, 2011 through May 30, 2012. 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 **Michigan or Ohio** and **noncommercial television** stations licensed to communities in **Arizona, the District of Columbia, Idaho, Maryland, Nevada, New Mexico, Utah, Virginia, West Virginia or Wyoming** (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.

Filing of Applications for Renewal of Licenses for Radio and Television Stations—Full-power AM and FM **radio** broadcast stations, as well as **FM Translator** stations, licensed to communities in **Michigan or Ohio**, and **television, Class A, LPTV and TV Translator** stations licensed to communities in **Maryland, Virginia, West Virginia or the District of Columbia** 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 by this date, and commercial stations must promptly submit their FCC license renewal application filing fee. FCC Forms 303-S and 396 as filed must be placed in stations' public inspection files.

Post-filing Renewal Announcements for Radio and Television Stations—Full-power AM and FM **radio** broadcast stations licensed to communities in **Michigan or Ohio**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Maryland, Virginia, West Virginia or the District of Columbia**, must begin on this date to air their post-filing license renewal announcements in accordance with the FCC's regulations. Additional announcements must air on June 16, July 1, July 16, August 1 and August 16. **FM Translator stations and TV translator stations, as well as LPTV stations not capable of local origination**, licensed to communities in these states must arrange for the required newspaper public notice of their license renewal application filing.

Pre-filing Renewal Announcements for Radio and Television Stations—Full-power AM and FM **radio** broadcast stations licensed to communities in **Illinois or Wisconsin**, and **television stations and Class**

A television stations, as well as LPTV stations capable of local origination, licensed to communities in **North Carolina or South Carolina**, must on this date begin to air their pre-filing renewal announcements in accordance with the FCC's regulations. Additional announcements must air on June 16, July 1 and July 16.

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 submit to SoundExchange the Monthly Report of Use and Monthly Usage Statement of Account forms for the month ending April 30, 2012.

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 remain alert for 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, 2012 through June 30, 2012.

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, 2012 through June 30, 2012.

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, 2012 through June 30, 2012, and place a copy of the form as filed with the FCC in the station's public inspection file.

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, 2012 through June 30, 2012 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, 2012.

July 31

Copyright Royalty Claims Due—Television stations with locally-produced programming whose signals were carried as distant signals by at least one cable or satellite system in 2011 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 distant TV signals on their systems. The royalties are used to compensate the owners of copyrighted works broadcast on those signals. Stations that do not file claims by the deadline will not be able to collect royalties for carriage of their signals during 2011.

August 1

Annual EEO Public File Report Required—Station employment units 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 or Wisconsin** must by this date place in their public inspection file and post on their station website a report regarding station compliance with the FCC's EEO Rule during the period August 1, 2011 through July 31, 2012. 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 **Illinois or Wisconsin** and **noncommercial television** stations licensed to communities in **California, North Carolina or South Carolina** (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.

Filing of Applications for Renewal of Licenses for Radio and Television Stations—Full-power AM and FM **radio** broadcast stations, as well as **FM Translator stations**, licensed to communities in **Illinois or Wisconsin**, and **television, Class A, LPTV and TV Translator** stations licensed to communities in **North Carolina or 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 by this date, and commercial stations must promptly submit their FCC license renewal application filing fee. FCC Forms 303-S and 396 as filed must be placed in stations' public inspection files.

Post-filing Renewal Announcements for Radio and Television Stations—Full-power AM and FM **radio** broadcast stations licensed to communities in **Illinois or Wisconsin**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **North Carolina or South Carolina**, must begin on this date to air their post-filing license renewal announcements in accordance with the FCC's regulations. Additional announcements must air on August 16, September 1, September 16, October 1 and October 16. **FM Translator stations and TV translator stations, as well as LPTV stations not capable of local origination**, licensed to communities in these states must arrange for the required newspaper public notice of their license renewal application filing.

Pre-filing Renewal Announcements for Radio and Television Stations—Full-power AM and FM **radio** broadcast stations licensed to communities in **Iowa or Missouri**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Florida, Puerto Rico or the Virgin Islands**, must on this date begin to air their pre-filing renewal announcements in accordance with the FCC's regulations. Additional announcements must air on August 16, September 1 and September 16.

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, 2012.

September 7

Lowest Unit Rate Period—Commencement of the Lowest Unit Rate period for the November 6, 2012, General Election.

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, 2012.

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/eeo1survey/>.

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

Annual EEO Public File Report Required—Station employment units 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 or Washington** must by this date place in their public inspection file and post on their station website a report regarding station compliance with the FCC's EEO Rule during the period October 1, 2011 through September 30, 2012. 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 **Iowa or Missouri** and **noncommercial television** stations licensed to communities in **Alaska, American Samoa, Florida, Guam, Hawaii, the Mariana Islands, Oregon, Puerto Rico, the Virgin Islands or Washington** (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.

Filing of Applications for Renewal of Licenses for Radio and Television Stations—Full-power AM and FM radio broadcast stations, as well as **FM Translator** stations, licensed to communities in **Iowa or Missouri**, and **television, Class A, LPTV and TV Translator** stations licensed to communities in **Florida, Puerto Rico or the Virgin Islands**, 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 by this date, and commercial stations must promptly submit their FCC license renewal application filing fee. FCC Forms 303-S and 396 as filed must be placed in stations' public inspection files.

Post-filing Renewal Announcements for Radio and Television Stations—Full-power AM and FM radio broadcast stations licensed to communities in **Iowa and Missouri**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Florida, Puerto Rico or the Virgin Islands**, must begin on this date to air their post-filing license renewal announcements in accordance with the FCC's regulations. Additional announcements must air on October 16, November 1, November 16, December 1 and December 16. **FM Translator stations and TV translator stations, as well as LPTV stations not capable of local origination**, licensed to communities in these states must arrange for the required newspaper public notice of their license renewal application filing.

Pre-filing Renewal Announcements for Radio and Television Stations—Full-power AM and FM radio broadcast stations licensed to communities in **Colorado, Minnesota, Montana, North Dakota or South Dakota**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Alabama and Georgia**, must on this date begin to air their pre-filing renewal announcements in accordance with the FCC's regulations. Additional announcements must air on October 16, November 1 and November 16.

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, 2012 through September 30, 2012.

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, 2012 through September 30, 2012. 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, 2012 through September 30, 2012, and place a copy of the form as filed with the FCC in the station's public inspection file.

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, 2012 through September 30, 2012 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, 2012.

November 6

U.S. General Election.

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, 2012.

December 1

Annual EEO Public File Report Required—Station employment units 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 or Vermont** must by this date place in their public inspection file and post on their station website a report regarding station compliance with the FCC's EEO Rule during the period December 1, 2011 through November 30, 2012. 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 **Colorado, Minnesota, Montana, North Dakota or South Dakota** and **noncommercial television** stations licensed to communities in **Alabama, Connecticut, Georgia, Maine, Massachusetts, New Hampshire, Rhode Island or Vermont** (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. Note that since this filing deadline falls on a weekend, the submission of this item to the FCC can be made until December 3.

Filing of Applications for Renewal of Licenses for Radio and Television Stations—Full-power AM and FM **radio** broadcast stations, as well as **FM Translator** stations, licensed to communities in **Colorado, Minnesota, Montana, North Dakota or South Dakota**, and **television, Class A television, LPTV and TV Translator** stations licensed to communities in **Alabama or Georgia**, 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 by this date, and commercial stations must promptly submit their FCC license renewal application filing fee. FCC Forms 303-S and 396 as filed must be placed in stations' public inspection files. Note that since this filing deadline falls on a weekend, the submission of this item to the FCC can be made until December 3.

Post-filing Renewal Announcements for Radio and Television Stations—Full-power AM and FM radio broadcast stations licensed to communities in **Colorado, Minnesota, Montana, North Dakota or South Dakota**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Alabama or Georgia**, must begin on this date to air their post-filing license renewal announcements in accordance with the FCC's regulations. Additional announcements must air on December 16, January 1, January 16, February 1 and February 16. **FM Translator stations and TV translator stations, as well as LPTV stations not capable of local origination**, licensed to communities in these states must arrange for the required newspaper public notice of their license renewal application filing.

Pre-filing Renewal Announcements for Radio and Television Stations—Full-power AM and FM radio broadcast stations licensed to communities in **Kansas, Nebraska or Oklahoma**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Arkansas, Louisiana or Mississippi**, must on this date begin to air their pre-filing renewal announcements in accordance with the FCC's regulations. Additional announcements must air on December 16, January 1, and January 16.

FCC Form 317 DTV Ancillary/Supplementary Services Report Due—**Commercial television, digital Class A and digital LPTV** stations must by this date electronically file FCC Form 317, the Annual DTV Ancillary/Supplementary Services Report for Commercial Digital Television Stations, with the FCC whether or not they have received any income from transmitting ancillary or supplementary services. If a digital station provided ancillary or supplementary services during the 12-month time period ending on the preceding September 30, and received compensation for doing so, the station is required to pay to the FCC five percent of the gross revenue from such services concurrently with the filing of Form 317. Note that since this filing deadline falls on a weekend, the submission of this item to the FCC can be made until December 3.

December 13

CALM Act Rules Effective—By this date, television broadcasters and MVPDs must be in compliance with the regulations adopted by the FCC implementing the Commercial Advertisement Loudness Mitigation Act.

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, 2012.

For further information about this Advisory, please contact any of the following attorneys in the Communications Practice Group.

Richard R. Zaragoza [\(bio\)](#)
Washington, DC
+1.202.663.8266
richard.zaragoza@pillsburylaw.com

Scott R. Flick [\(bio\)](#)
Washington, DC
+1.202.663.8167
scott.flick@pillsburylaw.com

Lauren Lynch Flick **(bio)**
Washington, DC
+1.202.663.8166
lauren.lynn.flick@pillsburylaw.com

Christine A. Reilly **(bio)**
Washington, DC
+1.202.663.8245
christine.reilly@pillsburylaw.com

Paul A. Cicelski **(bio)**
Washington, DC
+1.202.663.8413
paul.cicelski@pillsburylaw.com

Clifford M. Harrington **(bio)**
Washington, DC
+1.202.663.8525
clifford.harrington@pillsburylaw.com

Miles Mason **(bio)**
Washington, DC
+ 1.202.663.8195
miles.mason@pillsburylaw.com

John K. Hane **(bio)**
Washington, DC
+1.202.663.8116
john.hane@pillsburylaw.com

Lauren Birzon **(bio)**
Washington, DC
+1.202.663.8366
lauren.birzon@pillsburylaw.com

This publication is issued periodically to keep Pillsbury Winthrop Shaw Pittman LLP clients and other interested parties informed of current legal developments that may affect or otherwise be of interest to them. The comments contained herein do not constitute legal opinion and should not be regarded as a substitute for legal advice.

© 2012 Pillsbury Winthrop Shaw Pittman LLP. All Rights Reserved.