
2009 Fourth Quarter FCC Form 388 DTV Quarterly Activity Station Report for Certain Television Stations Must Be Filed by January 10, 2010

by Richard R. Zaragoza and Christine A. Reilly

As previously reported, stations that have not yet completed construction or commenced operation of their final post-transition DTV facilities must continue the required general DTV Consumer Education Initiatives until they commence operation on their post-transition DTV facilities. Such stations will be required to file another FCC Form 388 by January 10, 2010, providing the Commission with the details of the DTV Consumer initiatives that they performed between October 1 and December 31, 2009.

By January 10, 2010, those television stations, which completed construction and commenced operation with their post-transition final DTV facilities after September 30, 2009 or have not yet completed construction and commenced operation of their post-transition digital facility, are required to report on the DTV Education Initiatives undertaken in the months of October, November and December by electronically filing the FCC Form 388. The FCC Form 388 is also required to be placed in the station's public inspection file by January 10, 2010 and posted by that date to the station's website, if it has one.

Stations which completed construction of their fully-authorized, post-transition digital facilities prior to September 30, 2009 were not required to continue with the general DTV Consumer Education announcements and are not required to submit any additional FCC Forms 388 after their October 10, 2009 filing.

If you have any questions about your DTV educational obligations, please contact any of the members of our Communications Practice Section.

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