

Pre-filing and Post-filing License Renewal Announcement Reminder for Texas AM, FM and FM Translator Stations

Radio and FM translator stations licensed to communities in Texas should be receiving soon a postcard from the FCC reminding them that their license renewal applications must be filed by April 1, 2005.

Whether or not you soon receive the FCC's postcard, you should be alerted to the fact that radio stations licensed to communities in Texas must begin broadcasting the first of four pre-filing renewal announcements on **Tuesday, February 1, 2005**. The remaining announcements must air on February 16, March 1 and March 16. For commercial stations, at least two of these four announcements must air between 7:00 a.m. and 9:00 a.m. and/or 4:00 p.m. and 6:00 p.m. Licensees whose stations do not operate during these hours should broadcast at least two of the four announcements during the first two hours of broadcast operation on the designated days. Noncommercial stations must air the announcements at the same times as commercial stations; however, noncommercial stations need not air any announcements in a month that the station does not operate. A noncommercial station that will not air some announcements because it is off the air must air the remaining announcements in the order listed above, i.e., the first two must air between 7:00 a.m. and 9:00 a.m. and/or 4:00 p.m. and 6:00 p.m.

The text of the announcement is as follows:

On [date of last renewal grant], [call letters] was granted a license by the Federal Communications Commission to serve the public interest as a public trustee until August 1, 2005. [Stations which have not received a renewal grant since the filing of their previous renewal application should modify the foregoing to read: "(Call letters) is licensed by the Federal Communications Commission to serve the public interest as a public trustee."]

Our license will expire on **August 1, 2005**. We must file an application for renewal with the FCC by **April 1, 2005**. When filed, a copy of this application will be available for public inspection during our regular business hours. It contains information concerning this station's performance during the last [period of time covered by application – in most cases this is eight years, the length of a standard license term].

Individuals who wish to advise the FCC of facts relating to our renewal application and to whether this station has operated in the public interest should file comments and petitions with Commission by July 1, 2005.

Further information concerning the FCC's broadcast license renewal process is available at [address of location of station's public inspection file] or may be obtained from the FCC, Washington, DC 20554.

Once the license renewal application has been filed, radio stations must broadcast six post-filing renewal announcements. For commercial stations, these announcements must air on April 1, April 16, May 1, May 16, June 1 and June 16. At least three of these announcements must air between 7:00 a.m. and 9:00 a.m. and/or 4:00 p.m. and 6:00 p.m. At least one announcement must air in each of the following time periods: between 9:00 a.m. and noon, between noon and 4:00 p.m., and between 7:00 p.m. and midnight. Licensees whose stations do not operate between 7:00 a.m. and 9:00 a.m. or 4:00 p.m. and 6:00 p.m. should broadcast at least three of the six required announcements during the first two hours of broadcast operation. Noncommercial stations should air the announcements on the same schedule except in

those circumstances described above in the second paragraph of this **Special Bulletin**.

The text of the announcement is as follows:

On *[date of last renewal grant]*, *[call letters]* was granted a license by the Federal Communications Commission to serve the public interest as a public trustee until **August 1, 2005**.

Our license will expire on **August 1, 2005**. We have filed an application for renewal with the FCC.

A copy of this application is available for public inspection during our regular business hours. It contains information concerning this station's performance during the last *[period of time covered by application -- in most cases this is eight years]*.

Individuals who wish to advise the FCC of facts relating to our renewal application and to whether this station has operated in the public interest should file comments and petitions with the FCC by July 1, 2005.

Further information concerning the FCC's broadcast license renewal process is available at *[address of location of station's public inspection file]* or may be obtained from the FCC, Washington, DC 20554.

Within seven days of the broadcast of the last post-filing announcement, that is, by June 23, 2005, radio station licensees should complete the attached Statement of Compliance and place it in the station's public inspection file. If a licensee discovers that it has missed broadcasting one of these announcements, the licensee should broadcast a make-up announcement as soon as possible and contact the firm for further advice.

FM translator licensees are not required to broadcast pre-filing or post-filing announcements. However, upon filing a renewal application for an FM translator, the licensee must publish public notice of the filing in a local newspaper published or having circulation in the community served by the translator. If there is no such newspaper, the licensee must determine an appropriate means of providing the required notice to the general public, such as posting it in the local post office or other public place. The notice must contain the name of the applicant, the community served by the translator, the translator's transmitter site, the station's output channel and power, a statement that the station engages in or intends to engage in rebroadcasting of another station, including the call letters, location and channel of operation of the station(s) rebroadcast, the date the

application was filed and a statement that advises that the application is for renewal of license and invites comment from individuals who wish to advise the FCC of facts relating to the renewal application and whether the station has operated in the public interest. After publication of the notice, an FM translator licensee should complete and execute a Statement of Compliance regarding that publication. While FM translator licensees are not required to keep a public inspection file, they are required to maintain a station records file available to an FCC representative which contains their current authorization and copies of all FCC filings and correspondence with the Commission and thus should place the completed Statement of Compliance in their station file. Pages 4 and 5 of this **Special Bulletin** provide information for FM translator stations to comply with the requirements noted in this paragraph.

Note also that low power FM (LPFM) stations are not required to broadcast pre-filing or post-filing announcements, nor are they required to publish public notice of the filing of their license renewal application. If you need assistance with your announcements or in preparing your license renewal application, please contact any of the lawyers in the Communications Practice Group.

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STATEMENT OF COMPLIANCE

Now comes the undersigned who states that the "Pre-filing Announcement," attached hereto, was broadcast over station _____ on the dates and times indicated below:

DATES

TIMES

The undersigned further states that the station broadcast the "Post-Filing Announcement," attached hereto, over the station on the dates and times indicated below:

DATES

TIMES

Signed: _____

Dated: _____

COMPLIANCE INFORMATION FOR FM TRANSLATORS ONLY

INSTRUCTIONS FOR PUBLICATION OF NEWSPAPER PUBLIC NOTICE

Below is the sample text of the required public notice regarding the filing of the application for renewal of license of an FM translator. Publication should begin immediately after filing of the station's license renewal application.

Publication is to be made in the daily, weekly or biweekly newspaper of general circulation in the community of license of the station. The notice must appear at least once.

Immediately following the newspaper publication, secure an affidavit from the newspaper attesting to the publication and specifying the date(s) on which the publication occurred. The newspaper should attach to its affidavit a copy of the text of the notice as published. Attach the original of the affidavit to the original of the "Certificate of Compliance, Newspaper Public Notice," which must be executed. Finally, place the originals in the station file and send a full copy to the Communications Practice Group for our files.

PUBLIC NOTICE

On [date of filing of application for renewal of license], [the licensee] filed an application with the Federal Communications Commission for renewal of license of [station call sign] which is licensed to serve [community of license]. The station transmits from a site [description of location of transmitter site] with an effective radiated power of [ERP]. The station rebroadcasts [call sign of primary station, channel number and community of license]. Individuals who wish to advise the FCC of facts relating to the renewal application and to whether this station has operated in the public interest should file comments and petitions with the FCC by [30 days prior to the expiration of the station's license], by writing to: FCC, Washington, DC 20554.

CERTIFICATE OF COMPLIANCE
NEWSPAPER PUBLIC NOTICE

I hereby certify that a notice of the filing of the application for renewal of license of FM Translator [call sign] has been accomplished in the manner prescribed by Section 73.3580 of the Rules and Regulations of the Federal Communications Commission.

The notice appeared in _____, a _____ newspaper in general circulation in [location of paper, which should be the station's community of license as well] on the following date(s): _____

Attached hereto is a copy of an affidavit of an employee of the newspaper attesting to the fact of publication, supplying a copy of the notice as it appeared in the newspaper, and specifying the date(s) on which the notice appeared.

Applicant: _____

Signature: _____

Title: _____

Dated: _____