

## 2013 Broadcasters' Calendar

### Items of Note in 2013

- I. *Applications for Renewal of License:* The three-year long license renewal cycles for broadcast stations in radio services (AM, FM, FM Translator), which began on June 1, 2011, and for television services (television, Class A, LPTV, TV Translator), which began on June 1, 2012, continue in 2013. 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 must file biennial ownership reports by 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 has adopted a requirement that television stations post most of the contents of their public inspection files online at the FCC's website, effective as of August 2, 2012. All references herein to TV station's public inspection files relate to that online public inspection file.
- 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 While that form was later rescinded before becoming effective, the FCC issued a Notice of Inquiry proposing a new FCC Form to replace the current issues/programs list.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. However, because the FCC must issue a Notice of Proposed Rulemaking prior to implementing the new form, it may be some time before any new reporting form can 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 2013 deadline dates are noted in this Calendar.
- VI. Captioning of Video Programming Delivered via Internet:** In January 2012, the FCC adopted rules that require closed captioning of full-length video programming delivered via Internet protocol (i.e., IP video) that is published or exhibited with captions on TV after the effective date of those regulations. The rules are a result of the 21st Century Video and Communications Accessibility Act, which was enacted by Congress and signed into law by the president in 2010 to improve the accessibility of media and communications services and devices. **Beginning March 30, 2013**, all live and near-live programming that is shown on the Internet after being shown on television with captioning must be captioned for online viewing in accordance with the rules implementing the 21st Century Communications and Video Accessibility Act. "Live" programming is defined as programming that airs on TV "substantially simultaneously" with its performance (e.g., news and sporting events). "Near-live" programming is video programming that is performed and recorded less than 24 hours prior to the first time it aired on television (e.g., "*The Late Show with David Letterman*").

## 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.

## 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, 2012 through December 31, 2012.

**Certification of Children's Commercial Time Limitations Required**—**Commercial full-power and Class A television** stations must place in their online 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, 2012 through December 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 October 1, 2012 through December 31, 2012, and ensure a copy of the form as filed with the FCC is in the station's online 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, 2012 through December 31, 2012 and place it in their online public inspection file.

### 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, 2012.

### 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, 2012 through January 31, 2013. 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 **Kansas, Nebraska or Oklahoma**, and noncommercial **television** stations licensed to communities in **Arkansas, Louisiana, Mississippi, New Jersey or 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.

**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 **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 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 **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 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 and Television Stations**—Full-power AM and FM **radio** broadcast stations licensed to communities in **Texas**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, 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 4

**Online Public Inspection File**—Effective **August 2, 2012**, all full-power and Class A television stations were required to maintain an online public inspection file on a website hosted by the FCC. All *newly created* public inspection file documents were required to be uploaded after that date (i.e., Quarterly Issues Programs Lists). By February 4, 2013, all pre-August 2, 2012 materials in a station's paper public inspection must be uploaded to the station's online public file. The two exceptions to this requirement are : (1) letters and e-mails from the public; and (2) political file materials for stations that are not in a top-50 market and/or are not affiliated with ABC, CBS, NBC, or Fox. Stations that do not meet these criteria do not need to upload their political files, but instead can continue to maintain their political files in the station's paper public file until July 1, 2014. Affiliates of the top-four networks in the top 50 markets were required to begin uploading their political files on August 2, 2012, and should continue to upload their political file documents to the online public file for their stations.

#### 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, 2012.

#### 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, 2013.

#### March 30

**Captioning of Video Programming Delivered via Internet**—On this date, all *live* and *near-live* programming that is shown on the Internet after being shown on television must be captioned for online viewing, in accordance with the rules implementing the 21<sup>st</sup> Century Communications and Video Accessibility Act. "Live" programming is defined as programming that airs on TV "substantially simultaneously" with its performance (e.g., news and sporting events). "Near-live" programming is video programming that is performed and recorded less than 24 hours prior to the first time it aired on television (e.g., "*The Late Show with David Letterman*").

## 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, 2012 through March 31, 2013. 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 **Texas** and **noncommercial television** stations licensed to communities in **Delaware, Indiana, Kentucky, Pennsylvania, or 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.

**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 **Texas**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, 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. 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 **Texas**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, 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 **Arizona, Idaho, New Mexico, Nevada, Utah or Wyoming**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Michigan or Ohio**, 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, 2013 through March 31, 2013.

**Certification of Children's Commercial Time Limitations Required**—**Commercial full-power and Class A television** stations must place in their online 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, 2013 through March 31, 2013.

**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, 2013 through March 31, 2013, and ensure a copy of the form as filed with the FCC in the station's online 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, 2013 through March 31, 2013 and place it in their online public inspection file.

#### 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 28, 2013.

#### 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, 2013.

#### 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, 2012 through May 30, 2013. 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 or Wyoming** and **noncommercial television** stations licensed to communities in **Michigan or 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. ***Note that since this filing deadline falls on a weekend, the submission of this item to the FCC may be made on June 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 **Arizona, Idaho, Nevada, New Mexico, Utah, or Wyoming**, and **television, Class A, LPTV and TV Translator** stations licensed to communities in **Michigan or Ohio**, 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 may be made on June 3.***

**Post-filing Renewal Announcements for Radio and Television Stations**—Full-power AM and FM **radio** broadcast stations licensed to communities in **Arizona, Idaho, Nevada, New Mexico, Utah, or Wyoming**, and **television stations and Class A television stations**, as well as **LPTV stations capable of local origination**, licensed to communities in **Michigan or Ohio**, 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 **California**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Illinois or Wisconsin**, 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, 2013.

## 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, 2013 through June 30, 2013.

**Certification of Children's Commercial Time Limitations Required**—**Commercial full-power and Class A television** stations must place in their online 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, 2013 through June 30, 2013.

**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, 2013 through June 30, 2013, and ensure a copy of the form as filed with the FCC is in the station's online 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, 2013 through June 30, 2013 and place it in their online public inspection file.

### 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, 2013.

### 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 2012 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 2012.

### 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, 2012 through July 31, 2013. 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 or South Carolina** and **noncommercial television** stations licensed to communities in **Illinois or 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.

**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 **California**, and **television, Class A, LPTV and TV Translator** stations licensed to communities in **Illinois or Wisconsin**, 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 **California**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Illinois or Wisconsin**, 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 **Alaska, American Samoa, Guam, Hawaii, the Mariana Islands, Oregon, Saipan or Washington**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Iowa or Missouri**, 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, 2013.

### 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, 2013.

### 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.

**Captioning of Video Programming Delivered via Internet**—On this date, all *pre-recorded* programming that is shown on the Internet after being shown on television and that is edited for Internet distribution must be captioned for online viewing, in accordance with the rules implementing the 21<sup>st</sup> Century Communications and Video Accessibility Act. Programming edited for Internet distribution means video programming for which the TV version is "substantially edited" prior to its Internet distribution.

### 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, Saipan, 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, 2012 through September 30, 2013. 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 **Alaska, American Samoa, Florida, Guam, Hawaii, the Mariana Islands, Oregon, Puerto Rico, Saipan, the Virgin Islands or Washington** and **noncommercial television** stations licensed to communities in **Iowa or 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.

**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 **Alaska, American Samoa, Guam, Hawaii, the Mariana Islands, Oregon, Saipan or Washington**, and **television, Class A, LPTV and TV Translator** stations licensed to communities in **Iowa or Missouri**, 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 **Alaska, American Samoa, Guam, Hawaii, the Mariana Islands, Oregon, Saipan or Washington**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Iowa or Missouri**, 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 **Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont**, and **television stations and Class A television stations, as well as LPTV stations capable of local origination**, licensed to communities in **Colorado, Minnesota, Montana, North Dakota, or South Dakota**, 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, 2013 through September 30, 2013.

**Certification of Children's Commercial Time Limitations Required—Commercial full-power and Class A television** stations must place in their online 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, 2013 through September 30, 2013.

**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, 2013 through September 30, 2013, and ensure a copy of the form as filed with the FCC is in the station's online 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, 2013 through September 30, 2013 and place it in their online public inspection file.

### 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, 2013.

### 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 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, 2013.

### December 1

**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 2.***

**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, 2012 through November 30, 2013. 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, or Vermont**, and **noncommercial television** stations licensed to communities in **Colorado, Minnesota, Montana, North Dakota, or 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. ***Note that since this filing deadline falls on a weekend, the submission of this item to the FCC can be made until December 2.***

**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 **Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, or Vermont**, and television, **Class A television, LPTV and TV Translator** stations licensed to communities in **Colorado, Minnesota, Montana, North Dakota, or South Dakota**, 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 2.***

**Post-filing Renewal Announcements for Radio and Television Stations**—Full-power AM and FM radio broadcast stations licensed to communities in **Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, or Vermont**, and television stations and Class A television stations, as well as LPTV stations capable of local origination, licensed to communities in **Colorado, Minnesota, Montana, North Dakota, or South Dakota**, 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 **New Jersey or New York**, and television stations and Class A television stations, as well as LPTV stations capable of local origination, licensed to communities in **Kansas, Nebraska, or Oklahoma**, 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.

## December 13

**First Annual CALM Act Compliance Spot Check Deadline**—By this date, those television stations and MVPDs subject to the annual spot-checking obligation imposed by the FCC pursuant to the Commercial Advertisement Loudness Mitigation Act must complete their annual spot checks to verify compliance with the volume requirements of the CALM 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, 2013.

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

Paul A. Cicelski [\(bio\)](#)  
Washington, DC  
+1.202.663.8413  
[paul.cicelski@pillsburylaw.com](mailto:paul.cicelski@pillsburylaw.com)

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

Lauren Lynch Flick [\(bio\)](#)  
Washington, DC  
+1.202.663.8166  
[lauren.lynch.flick@pillsburylaw.com](mailto:lauren.lynch.flick@pillsburylaw.com)

John K. Hane [\(bio\)](#)  
Washington, DC  
+1.202.663.8116  
[john.hane@pillsburylaw.com](mailto:john.hane@pillsburylaw.com)

Clifford M. Harrington [\(bio\)](#)  
Washington, DC  
+1.202.663.8525  
[clifford.harrington@pillsburylaw.com](mailto:clifford.harrington@pillsburylaw.com)

Andrew S. Kersting [\(bio\)](#)  
Washington, DC  
+1.202.663.8203  
[andrew.kersting@pillsburylaw.com](mailto:andrew.kersting@pillsburylaw.com)

Miles Mason [\(bio\)](#)  
Washington, DC  
+ 1.202.663.8195  
[miles.mason@pillsburylaw.com](mailto:miles.mason@pillsburylaw.com)

Lew J. Paper [\(bio\)](#)  
Washington, DC  
+1.202.663.8184  
[lew.paper@pillsburylaw.com](mailto:lew.paper@pillsburylaw.com)

Christine A. Reilly [\(bio\)](#)  
Washington, DC  
+1.202.663.8245  
[christine.reilly@pillsburylaw.com](mailto:christine.reilly@pillsburylaw.com)

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