
2009 Broadcaster's Calendar

The following deadlines are based on information known by us as of the date hereof, may or may not apply to a particular broadcaster, are 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, such as requiring the posting of a report on the Internet or filing a report with the FCC electronically. It should also be noted that any FCC filing date which falls on a weekend or federal holiday, as a general rule, causes the filing deadline to be shifted to the immediately following business day. Furthermore, the listing of deadlines 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" supercedes all prior editions and accordingly any prior editions should no longer be used.

In FCC actions which are not yet effective, full-service television stations and Class A television stations will be required to post most of the contents of their public inspection files on their websites. Furthermore, the FCC has adopted a new reporting form for television stations that is intended to take the place of the Quarterly Issues/Programs Lists. The report form will have to be filed electronically with the FCC and be placed in a station's public inspection file and posted on its website. Accordingly, affected broadcasters should coordinate with their webmasters to evaluate the cost and speed of designing and implementing changes to their websites in order to be prepared to implement these new FCC posting requirements. Furthermore, affected broadcasters should review their program "logging" practices so that they can readily and accurately extract from those logs the types of information that the new reporting form requires.

Radio stations may wish to consider conducting the same types of evaluations in light of other recent FCC proceedings which will examine whether the new television report form and posting requirements should be applied to full-service radio stations.

January 10

Quarterly Issues/Programs List Required—The Quarterly Issues/Programs List covering the time period beginning October 1, 2008, and ending December 31, 2008, must be placed in the public inspection files of all full-power **radio**, full-power **television**, and Class A **television** stations by this date. On November 27, 2007, the FCC adopted a Report and Order requiring all full-power and Class A **television** stations to file online with the FCC a new form replacing the Quarterly Issues/Programs List. As of the date of this publication, this requirement is not yet effective.

Certification for Children’s Commercial Time Limitations Required—Commercial full-power analog and digital 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, 2008, through December 31, 2008. At the present time, the report is not required to be filed with the FCC.

FCC Form 398 Children’s Programming Report Due—Commercial full-power analog and digital and Class A **television** stations must by this date complete FCC Form 398 demonstrating their responsiveness to “the educational and informational needs of children” for the period from October 1, 2008, through December 31, 2008, and place the completed form in the station’s public inspection file. The form must also be electronically filed with the FCC by this date.

FCC Form 388 DTV Consumer Education Report Due—All full-power television stations must complete and electronically file by this date FCC Form 388 demonstrating their compliance with DTV consumer education initiative requirements. The form must also be placed in the station’s public inspection file and posted to the station’s website (if it has one) by this date.

Class A Television Continuing Eligibility Certification Required—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 Class A **television** stations generate such documentation quarterly and place it in their public inspection files by this date.

January 14

Copyright Royalty Fee – Monthly Usage Statement of Account Form Due—By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending November 30, 2008, even if the web-caster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. If a payment is due, SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment.

January 31

Copyright Royalty Fee – Annual Minimum Fee Statement of Account Form Due—By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Minimum Fee Statement of Account Form and the annual \$500 copyright royalty fee to SoundExchange. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hard copy of the form should also accompany the payment. This \$500 fee represents the minimum annual fee for all filers; additional monthly fees may be required. Commercial and noncommercial webcasters and simulcasters must file Monthly Usage Statement of Account forms on or before the 45th day following the end of each month as well. Additionally, commercial and noncommercial webcasters and simulcasters must file the Report of Use form on a quarterly basis. This report is due within 45 days following the end of the previous quarter. If your radio broadcast station is simulcast or rebroadcast on the Internet, we encourage you to consult with counsel expert in this regulatory area.

February 1

Annual EEO Public File Report Required—Under the FCC's EEO rule adopted in 2003, by this date station employment units ("SEUs") with five or more full-time employees and which are comprised of **radio and/or television** stations licensed to communities in **Arkansas, Kansas, Louisiana, Mississippi, Nebraska, New Jersey, New York, and Oklahoma** must place in their public inspection files (and post on their station websites, if they have them) a report regarding station compliance with the EEO rule during the period February 1, 2008, through January 31, 2009. SEUs may "cut off" the reporting period up to ten (10) days before February 1 so long as they begin the next annual reporting period as of the day right after the cut-off days used in the immediately prior report. For example, if the SEU uses the period February 1, 2008, through January 21, 2009, for this year's report, then next year the SEU must use the period beginning January 22, 2009, through January 31, 2010, for its 2009 report. The report must contain the following information: (a) a list of all full-time job vacancies filled, identified by job title; (b) recruitment sources used to fill each of those job vacancies (including organizations entitled to notification of job vacancies), including the address, contact person, and telephone number of each recruitment source; (c) a list of the recruitment sources that referred the individual hired for each full-time job vacancy that was filled; (d) data reflecting the total number of persons interviewed for full-time job vacancies and the total number of interviewees referred by each recruitment source; and (e) a list and brief description of other recruitment outreach efforts from the FCC's menu of choices that the station employment unit engaged in during the preceding 12 months.

FCC Form 397 EEO Mid-Term Report Due—February 1 is also the mid-point in the license renewal term of **radio** stations licensed to communities in **Kansas, Nebraska, and Oklahoma** and **television** stations licensed to communities in **Arkansas, Louisiana, and Mississippi**. By this date, radio station SEUs with eleven or more full-time employees in those States/Territories must electronically file the FCC Form 397 Broadcast Mid-Term Report ("397 Report") along with copies of the SEU's two most recent Annual EEO Public File Reports attached to their 397 Report. All full-power television station SEUs in those States/Territories, regardless of the number of full-time employees, must electronically file the 397 Report by this date. However, only television SEUs with five or more full-time employees are required to attach copies of the SEU's two most recent Annual EEO Public File Reports to their 397 Report. Affected SEUs that have been the subject of a prior FCC EEO audit must still file FCC Form 397 by the deadline. Electronic filing of Form 397 is mandatory. A paper version will not be accepted for filing unless accompanied by an appropriate request for waiver of the electronic filing requirement.

FCC Form 323 Biennial Ownership Report Due—Licensees and permittees (other than sole proprietorships or partnerships composed entirely of natural persons) that operate commercial and noncommercial **radio** stations licensed to communities in **Kansas, Nebraska, or Oklahoma**, and licensees and permittees (other than sole proprietorships or partnerships composed entirely of natural persons) that operate commercial and noncommercial **television** stations licensed to communities in **Arkansas, Louisiana, Mississippi, New York, or New Jersey** must file their biennial ownership reports by this date, unless they have consolidated this filing date with the date for other commonly owned stations licensed to communities in other states. Form 323 must be filed electronically by the due date and a fee of \$60 per station must be submitted to the FCC. Noncommercial educational licensees and permittees must use FCC Form 323-E, which does not require a filing fee.

February 14

Copyright Royalty Fee – Monthly Usage Statement of Account Form Due—By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending December 31, 2008, even if the webcaster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. If a payment is due, SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment.

February 17

Digital Television Transition—All full power television stations must cease their over-the-air, analog, television operations by the end of this day unless they have FCC authority to participate in the FCC's "Analog Nightlight" program. Such stations should stay alert to the fact that Congress may extend this deadline.

February 18

"Analog Nightlight" Program Begins—The FCC's "Analog Nightlight" program is currently scheduled to begin for participating stations. The start date of this program will be delayed if Congress extends the deadline for the DTV transition.

March 17

Copyright Royalty Fee – Monthly Usage Statement of Account Form Due— By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending January 31, 2009, even if the webcaster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. If a payment is due, SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment.

March 19

“Analog Nightlight” Program Ends—The FCC’s “Analog Nightlight” program is scheduled to end on this date for participating stations. However, as mentioned above, the program may be delayed if Congress extends the deadline for the DTV transition.

April 1

Annual EEO Public File Report Required—Under the FCC’s EEO rule adopted in 2003, by this date station employment units (“SEUs”) with five or more full-time employees and which are comprised of **radio and/or television** stations licensed to communities in **Delaware, Indiana, Kentucky, Pennsylvania, Tennessee, and Texas** must place in their public inspection files (and post on their station website, if there is one) a report regarding station compliance with the EEO rule during the period April 1, 2008, through March 31, 2009. SEUs may “cut off” the reporting period up to ten (10) days before April 1 so long as they begin the next annual reporting period as of the day right after the cut-off days used in the immediately prior report. For example, if the SEU uses the period April 1, 2008, through March 21, 2009, for this year’s report, then next year the SEU must use the period beginning March 22, 2009, through March 31, 2010, for its 2009 report. The report must contain the following information: (a) a list of all full-time job vacancies filled during the preceding year, identified by job title; (b) recruitment sources used to fill each of those job vacancies (including organizations entitled to notification of job vacancies), including the address, contact person, and telephone number of each recruitment source; (c) a list of the recruitment sources that referred the individuals hired for each full-time job vacancy that was filled; (d) data reflecting the total number of persons interviewed for full-time job vacancies during the preceding year and the total number of interviewees referred by each recruitment source; and (e) a list and brief description of other recruitment outreach efforts from the FCC’s menu of choices that the station employment unit engaged in during the preceding 12 months.

FCC Form 397 EEO Mid-Term Report Due—April 1 is the mid-point in the license renewal term of **radio** stations licensed to communities in **Texas** and **television** stations licensed to communities in **Indiana, Kentucky, and Tennessee**. By this date, radio station SEUs with eleven or more full-time employees in those States/Territories must electronically file the FCC Form 397 Broadcast Mid-Term Report (“397 Report”) along with copies of the SEU’s two most recent Annual EEO Public File Reports attached to their 397 Report. All full-power television station SEUs in those States/Territories, regardless of the number of full-time employees, must electronically file the 397 Report by this date. However, only television SEUs with five or more full-time employees are required to attach copies of the SEU’s two most recent Annual EEO Public File Reports to their 397 Report. Affected SEUs that have been the subject of a prior FCC EEO audit must still file FCC Form 397 by the deadline. Electronic filing of Form 397 is mandatory. A paper version will not be accepted for filing unless accompanied by an appropriate request for waiver of the electronic filing requirement.

FCC Form 323 Biennial Ownership Report Due—Licensees and permittees (other than sole proprietorships or partnerships composed entirely of natural persons) that operate commercial and noncommercial **radio** stations licensed to communities in **Texas** and licensees and permittees (other than sole proprietorships or partnerships composed entirely of natural persons) that operate commercial and noncommercial **television** stations licensed to communities in **Delaware, Indiana, Kentucky, Pennsylvania, or Tennessee**, must file their biennial ownership reports by this date, unless they have consolidated this filing date with the date for other commonly owned stations licensed to communities in other states. Form 323 must be filed electronically by the due date and a fee of \$60 per station must be submitted to the FCC. Non-commercial educational licensees and permittees must use FCC Form 323-E, which does not require a filing fee.

Annual BMI-ASCAP Reports Due—Commercial **radio** stations must file their annual BMI/ASCAP reports with their respective licensing agencies by this date. We understand that SESAC is in the process of negotiating separate contracts with licensees. Accordingly, those agreements will likely specify any applicable filing requirements.

April 10

Quarterly Issues/Programs List Required—The Quarterly Issues/Programs Lists covering the time period beginning January 1, 2009, and ending March 31, 2009, must be placed in the public inspection files of all **radio**, full-power **television**, and Class A **television** stations by this date. On November 27, 2007, the FCC adopted a Report and Order requiring all full-power and Class A **television** stations to file online with the FCC a new form replacing the Quarterly Issues/Programs List. As of the date of this publication, this requirement is not yet effective.

Certification for Children’s Commercial Time Limitations Required—Commercial full-power analog and digital 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 for children’s programming broadcast during the period January 1, 2009, through March 31, 2009. At the present time, the report is not required to be filed with the FCC.

FCC Form 398 Children’s Programming Report Due—Commercial full-power analog and digital and Class A **television** stations must by this date complete FCC Form 398 demonstrating their responsiveness to “the educational and informational needs of children” for the period from January 1, 2009, through March 31, 2009, and place the completed form in the station’s public inspection file. The form must also be electronically filed with the FCC by this date.

FCC Form 388 DTV Consumer Education Report Due—All full-power television stations must complete and electronically file by this date FCC Form 388 demonstrating their compliance with DTV consumer education initiative requirements. The form must also be placed in the station’s public inspection file and posted to the station’s website (if it has one) by this date.

Class A Television Continuing Eligibility Certification Required—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 Class A **television** stations generate such documentation quarterly and place it in their public inspection files by this date.

April 14

Copyright Royalty Fee – Monthly Usage Statement of Account Form Due— By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending February 28, 2009, even if the webcaster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. If a payment is due, SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment.

May 15

Copyright Royalty Fee – Monthly Usage Statement of Account Form and Quarterly Report of Use Form Due—By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending March 31, 2009, even if the webcaster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment. Additionally, commercial and noncommercial webcasters and simulcasters must file the Report of Use form by this date. Sample formats for this reporting requirement may be found on the SoundExchange website.

June 1

Annual EEO Public File Report Required—Under the FCC's EEO rule adopted in 2003, by this date station employment units ("SEUs") with five or more full-time employees and which are comprised of **radio and/or television** stations licensed to communities in **Arizona, the District of Columbia, Idaho, Maryland, Michigan, Nevada, New Mexico, Ohio, Utah, Virginia, West Virginia, and Wyoming** must place in their public inspection files (and post on their station website, if there is one) a report regarding station compliance with the EEO during the period June 1, 2008, through May 31, 2009. SEUs may "cut off" the reporting period up to ten (10) days before June 1 so long as they begin the next annual reporting period as of the day right after the cut-off days used in the immediately prior report. For example, if the SEU uses the period June 1, 2008, through May 21, 2009, for this year's report, then next year the SEU must use the period beginning May 22, 2009, through May 31, 2010, for its 2009 report. The report must contain the following information: (a) a list of all full-time job vacancies filled during the preceding year, identified by job title; (b) recruitment sources used to fill each of those job vacancies (including organizations entitled to notification of job vacancies), including the address, contact person, and telephone number of each recruitment source; (c) a list of the recruitment sources that referred the individuals hired for each full-time job vacancy that was filled; (d) data reflecting the total number of persons interviewed for full-time job vacancies during the preceding year and the total number of interviewees referred by each recruitment source; and (e) a list and brief description of other recruitment outreach efforts from the FCC's menu of choices that the station employment unit engaged in during the preceding 12 months.

FCC Form 397 EEO Mid-Term Report Due—June 1 is also the mid-point in the license renewal term of **radio** stations licensed to communities in **Arizona, Idaho, Nevada, New Mexico, Utah, or Wyoming** and **television** stations licensed to communities in **Michigan or Ohio**. By this date, radio station SEUs with eleven or more full-time employees in those States/Territories must electronically file the FCC Form 397 Broadcast Mid-Term Report ("397 Report") along with copies of the SEU's two most recent Annual EEO Public File Reports attached to their 397 Report. All full-power television station SEUs in those States/Territories, regardless of the number of full-time employees, must electronically file the 397 Report by this date. However, only television SEUs with five or more full-time employees are required to attach copies of the SEU's two most recent Annual EEO Public File Reports to their 397 Report. Affected SEUs that have been the subject of a prior FCC EEO audit must still file FCC Form 397 by the deadline. Electronic filing of Form 397 is mandatory. A paper version will not be accepted for filing unless accompanied by an appropriate request for waiver of the electronic filing requirement.

FCC Form 323 Biennial Ownership Report Due—Licensees and permittees (other than sole proprietorships or partnerships composed entirely of natural persons) that operate commercial and noncommercial **radio** stations licensed to communities in **Arizona, the District of Columbia, Idaho, Maryland, Nevada, New Mexico, Utah, Virginia, West Virginia, or Wyoming** and licensees and permittees (other than sole

proprietorships or partnerships composed entirely of natural persons) that operate commercial and non-commercial **television** stations licensed to communities in **Michigan or Ohio** must file their biennial ownership reports by this date, unless they have consolidated this filing date with the date for other commonly owned stations licensed to communities in other states. Form 323 must be filed electronically by the due date and a fee of \$60 per station must be submitted to the FCC. Noncommercial educational licensees and permittees must use FCC Form 323-E, which does not require a filing fee.

June 14

Copyright Royalty Fee – Monthly Usage Statement of Account Form Due—By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending April 30, 2009, even if the webcaster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. If a payment is due, SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment.

July

Regulatory Fees Announced—The FCC is expected to announce via Public Notice during this month the dates by which annual regulatory fees must be filed with the FCC.

July 10

Quarterly Issues/Programs List Required—The Quarterly Issues/Programs Lists covering the time period beginning April 1, 2009, and ending June 30, 2009, must be placed in the public inspection files of all **radio**, full-power **television**, and Class A **television** stations by this date. On November 27, 2007, the FCC adopted a Report and Order requiring all full-power and Class A **television** stations to file online with the FCC a new form replacing the Quarterly Issues/Programs List. As of the date of this publication, this requirement is not yet effective.

Certification for Children’s Commercial Time Limitations Required—Commercial full-power analog and digital 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 for children’s programming broadcast during the period April 1, 2009, through June 30, 2009. At the present time, the report is not required to be filed with the FCC.

FCC Form 398 Children’s Programming Report Due—Commercial full-power analog and digital and Class A **television** stations must by this date complete FCC Form 398 demonstrating their responsiveness to “the educational and informational needs of children” for the period from April 1, 2009, to June 30, 2009, and place the completed form in the station’s public inspection file. The form must also be electronically filed with the FCC by this date.

FCC Form 388 DTV Consumer Education Report Due—All full-power digital television stations that have requested or been granted an extension to serve less than their full authorized service areas after March 31, 2009, must complete and, by this day, electronically file FCC Form 388 demonstrating their compliance with DTV consumer education initiative requirements. The form must also be placed in the station’s public inspection file and posted to the station’s website (if it has one) by this date. Such stations are required to

continue DTV consumer education efforts until their request for extension has been withdrawn or denied, or until a granted extension has expired.

Class A Television Continuing Eligibility Certification Required—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 Class A **television** stations generate such documentation quarterly and place it in their public inspection files by this date.

July 15

Copyright Royalty Fee – Monthly Usage Statement of Account Form Due— By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending May 31, 2009, even if the webcaster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. If a payment is due, SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment.

July 31

Copyright Royalty Claims Due—Television stations with locally-produced programming whose signals were carried as distant signals by at least one cable system in 2008, and **television** stations with locally-produced programming whose signals were carried by at least one satellite carrier for home viewing in 2008, are eligible to file royalty claims for compensation with the Copyright Office in Washington, DC by this date.¹ Under the federal Copyright Act, cable systems and satellite operators must pay “compulsory license” royalties to carry TV signals on their systems. The royalties are used to compensate the owners of copyrighted works broadcast on those signals. After the royalties are collected from cable systems and satellite operators, and claims are filed, proceedings are held by the Copyright Office to divide the royalties among the copyright owner groups who claim shares of the royalty fund. The annual royalty fund for cable exceeds \$100 million, and the annual royalty fund for satellite exceeds \$60 million. Stations that do not file claims by the deadline will not be able to collect royalties for carriage of their signal during 2008. Royalty claims must include basic station information, as well as information regarding the copyrighted works for which the claim is made. Station group owners can file a single claim for the group, but must list each station individually on the claim in order for each station to qualify for royalties.

August 1

Annual EEO Public File Report Required—Under the FCC's EEO rule adopted in 2003, by this date station employment units (“SEUs”) with five or more full-time employees and which are comprised of radio and/or television stations licensed to communities in **California, Illinois, North Carolina, South Carolina, and Wisconsin** must place in their public inspection files (and post on their station website, if there is one) a report regarding station compliance with the EEO rule during the period August 1, 2008, through July 31, 2009. SEUs may “cut off” the reporting period up to ten (10) days before August 1 so long as they begin the next annual reporting period as of the day right after the cut-off days used in the immediately prior



¹ Online or hand-delivered claims must be submitted by 5pm (EDT). Claims delivered by a local Washington, DC commercial courier must arrive by 4pm (EDT). Overnight delivery services such as Federal Express, United Parcel Service and similar overnight delivery services may not be used for the filing of claims. A claim sent by means of United States Postal Service (Express Mail or otherwise) must carry sufficient postage and bear a July 2009 postmark.

report. For example, if the SEU uses the period August 1, 2008, through July 21, 2009, for this year's report, then next year the SEU must use the period beginning July 22, 2009, through July 31, 2010, for its 2009 report. The report must contain the following information: (a) a list of all full-time job vacancies filled during the preceding year, identified by job title; (b) recruitment sources used to fill each of those job vacancies (including organizations entitled to notification of job vacancies), including the address, contact person, and telephone number of each recruitment source; (c) a list of the recruitment sources that referred the individuals hired for each full-time job vacancy that was filled; (d) data reflecting the total number of persons interviewed for full-time job vacancies during the preceding year and the total number of interviewees referred by each recruitment source; and (e) a list and brief description of other recruitment outreach efforts from the FCC's menu of choices that the station employment unit engaged in during the preceding 12 months.

FCC Form 397 EEO Mid-Term Report Due—August 1 is also the mid-point in the license renewal term of **radio** stations licensed to communities in **California** and **television** stations licensed to communities in **Illinois or Wisconsin**. By this date, radio station SEUs with eleven or more full-time employees in those States/Territories must electronically file the FCC Form 397 Broadcast Mid-Term Report ("397 Report") along with copies of the SEU's two most recent Annual EEO Public File Reports attached to their 397 Report. All full-power television station SEUs in those States/Territories, regardless of the number of full-time employees, must electronically file the 397 Report by this date. However, only television SEUs with five or more full-time employees are required to attach copies of the SEU's two most recent Annual EEO Public File Reports to their 397 Report. Affected SEUs that have been the subject of a prior FCC EEO audit must still file FCC Form 397 by the deadline. Electronic filing of Form 397 is mandatory. A paper version will not be accepted for filing unless accompanied by an appropriate request for waiver of the electronic filing requirement.

FCC Form 323 Biennial Ownership Report Due—Licensees and permittees (other than sole proprietorships or partnerships composed entirely of natural persons) that operate commercial and noncommercial **radio** stations licensed to communities in **California, North Carolina, or South Carolina**, and licensees and permittees (other than sole proprietorships or partnerships composed entirely of natural persons) that operate commercial and noncommercial **television** stations licensed to communities in **Illinois or Wisconsin** must file their biennial ownership reports by this date, unless they have consolidated this filing date with the date for other commonly owned stations licensed to communities in other states. Form 323 must be filed electronically by the due date and a fee of \$60 per station must be submitted to the FCC. Non-commercial educational licensees and permittees must use FCC Form 323-E, which does not require a filing fee.

August 14

Copyright Royalty Fee – Monthly Usage Statement of Account Form and Quarterly Report of Use Form Due—By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending June 30, 2009, even if the webcaster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment. Additionally, commercial and noncommercial webcasters and simulcasters must file the Report of Use form by this date. Sample formats for this reporting requirement may be found on the SoundExchange website (<http://www.soundexchange.com>).

September 14

Copyright Royalty Fee – Monthly Usage Statement of Account Form Due— By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending July 31, 2009, even if the webcaster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. If a payment is due, SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment.

September 30

EEO 1 Report Due—This is the deadline by which broadcasters which are subject to the federal Equal Employment Opportunity Commission's (EEOC) reporting requirements must file their EEO 1 Report (Form 100). We encourage you to consult with counsel expert in this regulatory area and to visit <http://www.eeoc.gov/stats/jobpat/e1instruct.html>.

Traditional Deadline for 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 Annual Employment Report. As of the date of this publication, this filing requirement remains suspended.

October 1

Annual EEO Public File Report Required—Under the FCC's EEO rule adopted in 2003, by this date station employment units ("SEUs") with five or more full-time employees and which 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, and Washington** must place in their public inspection files (and post on their station website, if there is one) a report regarding station compliance with the EEO rule during the period October 1, 2008, through September 30, 2009. SEUs may "cut off" the reporting period up to ten (10) days before October 1 so long as they begin the next annual reporting period as of the day right after the cut-off days used in the immediately prior report. For example, if the SEU uses the period October 1, 2008, through September 21, 2009, for this year's report, then next year the SEU must use the period beginning September 22, 2009, through September 30, 2010, for its 2009 report. The report must contain the following information: (a) a list of all full-time job vacancies filled during the preceding year, identified by job title; (b) recruitment sources used to fill each of those job vacancies (including organizations entitled to notification of job vacancies), including the address, contact person, and telephone number of each recruitment source; (c) a list of the recruitment sources that referred the individuals hired for each full-time job vacancy that was filled; (d) data reflecting the total number of persons interviewed for full-time job vacancies during the preceding year and the total number of interviewees referred by each recruitment source; and (e) a list and brief description of other recruitment outreach efforts from the FCC's menu of choices that the station employment unit engaged in during the preceding 12 months.

FCC Form 397 EEO Mid-Term Report Due—October 1 is also the mid-point in the license renewal term of radio stations licensed to communities in **Alaska, American Samoa, Guam, Hawaii, the Mariana Islands, Oregon, Saipan, and Washington** and **television** stations licensed to communities in **Iowa and Missouri**. By this date, radio station SEUs with eleven or more full-time employees in those States/Territories must electronically file the FCC Form 397 Broadcast Mid-Term Report ("397 Report") along with copies of the SEU's two most recent Annual EEO Public File Reports attached to their 397 Report. All full-

power television station SEUs in those States/Territories, regardless of the number of full-time employees, must electronically file the 397 Report by this date. However, only television SEUs with five or more full-time employees are required to attach copies of the SEU's two most recent Annual EEO Public File Reports to their 397 Report. Affected SEUs that have been the subject of a prior FCC EEO audit must still file FCC Form 397 by the deadline. Electronic filing of Form 397 is mandatory. A paper version will not be accepted for filing unless accompanied by an appropriate request for waiver of the electronic filing requirement.

FCC Form 323 Biennial Ownership Report Due—Licensees and permittees (other than sole proprietorships or partnerships composed entirely of natural persons) that operate commercial and noncommercial radio stations licensed to communities in **Alaska, American Samoa, Florida, Guam, Hawaii, Puerto Rico, the Mariana Islands, Saipan, the Virgin Islands, Oregon or Washington**, and licensees and permittees (other than sole proprietorships or partnerships composed entirely of natural persons) that operate commercial and noncommercial **television** stations licensed to communities in **Iowa or Missouri** must file their biennial ownership reports by this date, unless they have consolidated this filing date with the date for other commonly owned stations licensed to communities in other states. Form 323 must be filed electronically by the due date and a fee of \$60 per station must be submitted to the FCC. Noncommercial educational licensees and permittees must use FCC Form 323-E, which does not require a filing fee.

October 10

Quarterly Issues/Programs List Required—The Quarterly Issues/Programs Lists covering the time period beginning July 1, 2009, and ending September 30, 2009, must be placed in the public inspection files of all **radio**, full-power **television**, and Class A **television** stations by this date. On November 27, 2007, the FCC adopted a Report and Order requiring all full-power and Class A **television** stations to file online with the FCC a new form replacing the Quarterly Issues/Programs List. As of the date of this publication, this requirement is not yet effective.

Certification for Children's Commercial Time Limitations Required—Commercial full-power analog and digital and Class A **television** stations must place records in their public inspection files by this date "sufficient to verify compliance" with the FCC's commercial time limitations for children's programming broadcast during the period July 1, 2009, through September 30, 2009. At the present time, the report is not required to be filed with the FCC.

FCC Form 398 Children's Programming Report Due—Commercial full-power analog and digital and Class A **television** stations must by this date complete FCC Form 398 demonstrating their responsiveness to "the educational and informational needs of children" for the period from July 1, 2009, to September 30, 2009, and place the completed form in the station's public inspection file. The form must also be electronically filed with the FCC by this date.

FCC Form 388 DTV Consumer Education Report Due—All full-power digital television stations that have requested or been granted an extension to serve less than its full authorized service area after March 31, 2009, must complete and electronically file FCC Form 388 demonstrating their compliance with DTV consumer education initiative requirements. The form must also be placed in the station's public inspection file and posted to the station's website (if it has one). Such stations are required to continue DTV consumer education efforts until its request for extension has been withdrawn or denied, or until a granted extension has expired.

Class A Television Continuing Eligibility Certification Required—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 Class A **television** stations generate such documentation quarterly and place it in their public inspection files by this date.

October 15

Copyright Royalty Fee – Monthly Usage Statement of Account Form Due— By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending August 31, 2009, even if the webcaster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. If a payment is due, SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment.

November 14

Copyright Royalty Fee – Monthly Usage Statement of Account Form and Quarterly Report of Use Form Due—By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending September 30, 2009, even if the webcaster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment. Additionally, commercial and noncommercial webcasters and simulcasters must file the Report of Use form by this date. Sample formats for this reporting requirement may be found on the SoundExchange website.

December 1

Annual EEO Public File Report Required—Under the FCC's EEO rule adopted in 2003, by this date station employment units (SEUs") with five or more full-time employees and which are comprised of **radio and/or television** stations licensed to communities in **Alabama, Colorado, Connecticut, Georgia, Maine, Massachusetts, Minnesota, Montana, New Hampshire, North Dakota, Rhode Island, South Dakota, and Vermont** must place in their public inspection files (and post on their station website, if there is one) a report regarding station compliance with the EEO rule during the period December 1, 2008, through November 30, 2009. SEUs may "cut off" the reporting period up to ten (10) days before December 1 so long as they begin the next annual reporting period as of the day right after the cut-off days used in the immediately prior report. For example, if the SEU uses the period December 1, 2008, through November 21, 2009, for this year's report, then next year the SEU must use the period beginning November 22, 2009, through November 30, 2010, for its 2009 report. The report must contain the following information: (a) a list of all full-time job vacancies filled during the preceding year, identified by job title; (b) recruitment sources used to fill each of those job vacancies (including organizations entitled to notification of job vacancies), including the address, contact person, and telephone number of each recruitment source; (c) a list of the recruitment sources that referred the individuals hired for each full-time job vacancy that was filled; (d) data reflecting the total number of persons interviewed for full-time job vacancies during the preceding year and the total number of interviewees referred by each recruitment source; and (e) a list and brief description of other recruitment outreach efforts from the FCC's menu of choices that the station employment unit engaged in during the preceding 12 months.

FCC Form 397 EEO Mid-Term Report Due—December 1 is also the mid-point in the license renewal term of **radio** stations licensed to communities in **Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont** and **television** stations licensed to communities in **Colorado, Minnesota, Montana, North Dakota, or South Dakota**. By this date, radio station SEUs with eleven or more full-time employees in those States/Territories must electronically file the FCC Form 397 Broadcast Mid-Term Report ("397 Report") along with copies of the SEU's two most recent Annual EEO Public File Reports attached to their 397 Report. All full-power television station SEUs in those States/Territories, regardless of the number of full-time employees, must electronically file the 397 Report by this date. However, only television SEUs with five or more full-time employees are required to attach copies of the SEU's two most recent Annual EEO Public File Reports to their 397 Report. Affected SEUs that have been the subject of a prior FCC EEO audit must still file FCC Form 397 by the deadline. Electronic filing of Form 397 is mandatory. A paper version will not be accepted for filing unless accompanied by an appropriate request for waiver of the electronic filing requirement.

FCC Form 323 Biennial Ownership Report Due—Licensees and permittees (other than sole proprietorships or partnerships composed entirely of natural persons) that operate commercial and noncommercial **radio** stations licensed to communities in **Alabama, Connecticut, Georgia, Maine, Massachusetts, New Hampshire, Rhode Island, or Vermont**, and licensees and permittees (other than sole proprietorships or partnerships composed entirely of natural persons) that operate commercial and noncommercial **television** stations licensed to communities in **Colorado, Minnesota, Montana, North Dakota, or South Dakota** must file their biennial ownership reports on FCC Form 323 on this date, unless they have consolidated this filing date with the date for other commonly owned stations licensed to communities in other states. Form 323 must be filed electronically by the due date and a fee of \$60 per station must be submitted to the FCC. Noncommercial educational licensees must use FCC Form 323-E, which does not require a filing fee.

FCC Form 317 DTV Ancillary/Supplementary Services Report Due—By this date, FCC Form 317 (Annual DTV Ancillary/Supplementary Services Report for Commercial Digital Television Stations, November 2003 edition) must be electronically filed with the FCC by all DTV licensees whether or not they have any received any income from ancillary or supplementary services. If a licensed DTV 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 remit five percent of the gross revenue from such services directly to U.S. Bank concurrently with the filing of Form 317.

December 15

Copyright Royalty Fee – Monthly Usage Statement of Account Form Due— By this date, commercial and noncommercial webcasters and those simulcasting radio programming on the Internet must submit the Monthly Usage Statement of Account Form for the month ending October 31, 2009, even if the webcaster or simulcaster has not exceeded its minimum fee liability. The form must be submitted to SoundExchange via e-mail, file transfer protocol (FTP), or CD-Rom. If a payment is due, SoundExchange will accept payment in the form of a check, a money order, or a bank transfer. A hardcopy of the form should also accompany the payment.

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