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Special Advisory to Broadcasters
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Communications Broadcast Advisory

FCC Form 317 Reminder

Annual DTV Ancillary/Supplementary Services Report for Commercial Digital Television Stations

Each commercial and noncommercial educational television broadcast station that has received its digital television license must file FCC Form 317 to report to the FCC whether its station provided ancillary or supplemental services at any time during the twelve-month period ending on the preceding September 30. Only licensed DTV stations must file. Those operating pursuant to Special Temporary Authority or Program Test Authority need not file. **The FCC Form 317 is due by December 1, 2006.** Electronic filing of FCC Form 317 is mandatory beginning November 1, 2006. Paper versions will not be accepted for filing after October 31, 2006 unless accompanied by an appropriate request for waiver.

Ancillary or supplementary services are all services provided on the portion of a DTV station's digital spectrum capacity or bitstream that is not necessary to provide the required single free over-the-air signal to viewers. It should be noted that any video broadcast signal provided at no direct charge to viewers is not considered ancillary or supplementary. According to the FCC, examples of service that are considered ancillary or supplementary include, but are not limited to, "computer software distribution, data transmissions, teletext, interactive materials, aural messages, paging services, audio signals, subscription video, and the like."

If a DTV station provided ancillary or supplementary services during the 12-month time period ending on the preceding September 30, it must remit 5% of the gross revenues derived from the provision of the station's ancillary or supplementary services to the FCC. This remittance may be forwarded to the FCC's lockbox at the Mellon Bank, Pittsburgh, Pennsylvania and must be accompanied by FCC Form 159, the Remittance Advice. Alternatively, the fee can be paid electronically using a credit card on the FCC's website.

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