
DTV Consumer Education Quarterly Activity Report (FCC Form 388) Now Available to be Filed in CDBS

by Richard R. Zaragoza, Lauren Lynch Flick and Christine A. Reilly

The FCC Form 388 is now available in the Commission's Consolidated Database System (CDBS) for electronic filing by July 10, 2008. The Report will cover the period April through June. Once filed, a copy of the Report should be promptly placed in the station's local public inspection file and posted on the station's website, if it has one.

As we have previously advised, on March 3, the FCC released a Report and Order outlining new requirements for the education of consumers regarding the February 17, 2009 transition to digital television service. As a result, full-power television stations have been required to (i) elect one of the compliance "Options" contained in the Report and Order, (ii) begin airing DTV consumer education announcements pursuant to their chosen "Option" no later than Monday, March 31, 2008, and (iii) report those efforts to the FCC on a quarterly basis using the FCC Form 388.

Previously, full-power television stations were required to file the FCC Form 388 through the Commission's Electronic Comment Filing System ("ECFS"). However, the Commission has now informed the public that the form is available on the Commission's Consolidated Database System ("CDBS") and must be filed through its CDBS system. The form can be found at <http://www.fcc.gov/mb/cdbs.html>. Stations must also place the completed form in their public inspection files and post it on their website, if the station has one.

The report should cover the station's 2008, second calendar quarter efforts to educate consumers about the DTV transition, and must be electronically filed with the FCC no later than July 10, 2008. Stations which elected "Option 1" should be aware that the requirement to air crawls, snipes or tickers and PSAs has doubled from the amount originally required. Accordingly, from April 1 through June 30, stations electing "Option 1" should have aired at least two PSAs and two crawls in every six-hour quarter of every day during the three-month period. For the purposes of these education requirements, each broadcast day can be broken into four quarters; 6:01 am to 12:00 pm, 12:01 pm to 6:00 pm, 6:01 pm to 12:00 am, and 12:01 am to 6:00 am. Information concerning the new requirements, including the "Options" and a copy of the FCC Form 388, can be found in our Advisory posted on our website by clicking [here](#).

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

Live Links

Media Bureau – CDBS; Federal Communications Commission

Alert: FCC Adopts New DTV Consumer Education and Reporting Requirements; Pillsbury Communications Advisory; March 2008

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