

Media Bureau Waives Requirement that Ohio Radio Stations Schedule and Air License Renewal Pre-filing Announcements
Posted on April 13, 2020

In a recent Order, the Media Bureau waived the requirement that Ohio radio stations schedule and air pre license-renewal-application filing announcements. The Order waives the pre-filing announcement requirement for all "broadcast licensees whose licenses expire on October 1, 2020, with renewal applications to be filed by June 1, 2020"—and that group includes Ohio radio stations.

By granting the waiver the Media Bureau hopes that the additional airtime and scheduling flexibility provided to impacted stations will allow for greater "focus on keeping the public informed of developments concerning the COVID-19 outbreak." Accordingly, the Order suggests that stations that elect to take advantage of the waiver and not to schedule and air pre-filing announcements may wish to use the limited, newfound broadcast time to "increase . . . the broadcast of public service announcements and other coverage relating to the . . . pandemic."

Additionally, although not expressly mentioned in the Order, we have received informal guidance from FCC staff that the Order necessarily also waives the separate requirement that stations upload to their online public inspection file a certification that the pre-filing announcements aired as and when required.

As a final caution, please note that the waiver applies only to pre-filing announcements. The Order does not apply to the required post-filing announcements. Thus, as of now, Ohio radio stations still must prepare to air the required, post-filing announcements on June 1, June 16, July 1, July 16, August 1, and August 16, 2020.

If you have any questions or need additional information about this matter, please contact the FCC Hotline at 888-705-0678 .

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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Pre-Filing Announcement Requirements)
June 1, 2020 Renewal Applications)

ORDER

Adopted: April 9, 2020

Released: April 9, 2020

By the Chief, Media Bureau:

1. In this Order, the Media Bureau waives the requirement that broadcast stations scheduled to file an application for renewal of license on June 1, 2020, comply with pre-filing announcements, pursuant to sections 73.3580(d)(4)(i) and 73.3580(d)(5)(i)(A) of the Commission's rules.¹ This Order will alleviate administrative and compliance burdens on broadcast stations, enabling an increase in the broadcast of public service announcements and other coverage relating to the novel coronavirus (COVID-19) pandemic.

2. In the Commission's recent Further Notice of Proposed Rulemaking to revise the broadcast local public notice rule,² the Commission proposed, among other things, to eliminate pre-filing on-air announcements currently broadcast by license renewal applicants.³ While the Commission has not yet acted on this proposal, no commenter opposed eliminating this requirement. Given the disruptions caused by COVID-19, including the significant loss of advertising revenue due to economic disruptions and the need to cover breaking news and air public service announcements relating to the pandemic, the Media Bureau has determined that good cause exists to relieve stations of the burden of scheduling and airing pre-filing announcements of their renewal applications, so they may focus on keeping the public informed of developments concerning the COVID-19 outbreak.

3. This Order applies only to those broadcast licensees whose licenses expire on October 1, 2020, with renewal applications to be filed by June 1, 2020. The Media Bureau will monitor the status of the COVID-19 outbreak to determine whether further relief is warranted. Broadcasters should note that this Order does not apply to required post-filing announcements under sections 73.3580(d)(4) and (d)(5)(i)(B) of the rules.⁴

4. For more information, contact Nazifa Sawez (Nazifa.Sawez@fcc.gov) at (202) 418-7059 or Chris Clark (Christopher.Clark@fcc.gov) at (202) 418-2609 (Audio Division), or David Roberts (David.Roberts@fcc.gov) at (202) 418-1618 (Video Division).

¹ 47 CFR §§ 73.3580(d)(4)(i), (d)(5)(i)(A).

² 47 CFR § 73.3580.

³ See *Amendment of Section 73.3580 of the Commission's Rules Regarding Public Notice of the Filing of Applications*, Further Notice of Proposed Rulemaking, 34 FCC Rcd 9251, 9264-65, paras. 25-27 (2019); 47 CFR § 73.3580(d)(4)(i) and (d)(5)(i).

⁴ 47 CFR § 73.3580(d)(4)(i), (d)(5)(i)(B). See 47 U.S.C. § 311(a).

5. **ACCORDINGLY, IT IS ORDERED**, pursuant to the authority found in sections 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 USC §§ 154(i) and 154(j), and sections 0.61, 0.283, and 1.3 of the Commission's rules, 47 CFR §§ 0.61, 0.283, and 1.3, this Order **IS ADOPTED**.

6. **IT IS FURTHER ORDERED**, that pursuant to section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), this Order **SHALL BE EFFECTIVE** upon release.

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey
Chief, Media Bureau