

October 1, 2023 is the deadline for television stations to elect between must-carry or retransmission consent for the next three year election cycle, which begins January 1, 2024 and ends December 31, 2026. You may remember that the FCC changed its rules governing the election process about 4 years ago, so everything will be done electronically like it was for the last carriage cycle. Here are the steps necessary to make a timely election for each of CTN's stations on the multichannel video programming providers (MVPD) in their respective DMAs.

Tulsa - KWHB

Houston – KHLM-LD

Dubuque - KFXB

- prepare and place a single *election statement* in the station's online public file (in the "Must-Carry or Retransmission Consent" folder, which can be found in the "More Public Inspection Files" section). If a station is going to elect mandatory carriage for all MVPD systems in its DMA for 2024-26, it can simply specify that in a uniform, blanket election statement. Or if a station plans to elect mandatory carriage on some systems, and retransmission consent on others, the single election letter uploaded to the public file can delineate those differences for the various MVPD systems in its DMA. The attached draft election statement can be adapted for your station (fill in all information and follow the prompts for either a uniform blanket election, or an MVPD specific election statement). We recommend when saving the document that you title it "2024-26 Carriage Election Statement" or something similar so that it is easily identifiable in the public file. Since only your most current election statement belongs in the public file, you can remove your 2021-23 election statement after uploading the new one for this next cycle. Also, while you are in the station's online public file, confirm that your carriage election contact email and phone number on the landing page are correct, or update those if necessary (recall my earlier recommendation that the carriage contact/email/phone be the same for all stations to simplify things and make sure nothing is missed; not sure if that was implemented). Once the election statement is uploaded, we recommend checking the publicly available public file for the station to confirm that the upload was completed and that it opens when selected. **One note here** – I know that CTN has waived local must carry for Dish or DirecTV in some situations. If those agreements are still in place, you may wish to carve out that specific satellite carrier in the station election statement, i.e., "on all MVPD systems, including each cable system and each DBS system except DirecTV." That was not done for the last cycle, but I wanted to mention it here in case a DBS carrier where CTN waived carriage rights made an issue of it last time.
- in addition to completing and placing the 2024-26 election statement in the station's public file, a second action **may** be necessary. If, as you prepare a station's 2024-26 carriage election statement, the result will be that you are, for any MVPD, changing that

station's election choice from how you elected to be carried last time (i.e., from must-carry to retransmission consent, vice-versa, or for a first-time election), an *election change notice* for those MVPDs must also be completed, uploaded by October 1, 2023 to the public file as an attachment to the 2024-26 election statement, and emailed by October 1, 2023 to only that MVPD, copying a special FCC notification email (electionnotices@fcc.gov). For cable systems, you should use the email for the MVPD from the COALS database (this search [link](#) will let you search for systems by state/county). For DBS/satellite carriers, use the "carriage election contact information" email in their online public file (search Dish or DirecTV at this [link](#)). Contact me for draft language if you need to prepare and send an election change notice (specific language is required). MVPDs are required to acknowledge receipt of a station's election change email. If a station does not receive a response verifying receipt of its change notice, or gets an indication that the message was not delivered, it must call the MVPD to confirm receipt or arrange re-delivery. If the email is timely/properly sent to the MVPD email address, and no verification is possible, the change notice will still be considered to have been properly delivered if it was also properly copied to the FCC's election notice email and is timely placed in the public file. Remember, this second step is only required if your station is changing its election from the last cycle for a MVPD, and then need only be sent to that MVPD.

For CTN's Class-A stations, as we've previously discussed, none have must-carry rights because they do not meet the defined criteria. For the last cycle, you did put a must-carry election statement in the KQDK-CD file (actually referencing KQCK in the election language) and in the WTNB file. I recall our discussion of the KQDK statement as being put in the file because of its link to KQCK's carriage. It can't hurt to do so again, though as previously mentioned, it does not legally qualify for carriage. For WTNB, I don't recall the reason a statement was put in that file. For any Class A stations that you decide to upload election statements, I recommend using the attached format which also provides contact information (since Class A online public files don't have a space for the carriage election contact person, email or phone). It is possible that CTN may have entered into carriage agreements for some Class A stations (also known as a retransmission consent agreement). If so, review those to see what they may require by way of extension or otherwise. For those stations, you may want to upload a retransmission consent election, either for all cable companies, or for only some (see the optional language in the draft Class A election statement).

To avoid carriage refusals for inadequate signal strength, stations should be operating at maximum power this fall. In addition, once a station has completed the election process above, carefully monitor the carriage election email/phone for any communication from MVPDs. Cable systems do not have to affirmatively respond to a carriage election statement for must-carry, unless a station sent them a change notice, in which case an acknowledgment email is required. DBS providers (Dish and DirecTV) must respond to a station's carriage request within 30 days (so no later than the end of October) to advise stations whether they will be carried or not.

Stations should be looking for those responses, and carefully review them for any carriage refusal or response needed.

– I was just reminded that **WYKE-CD** does have must carry rights in the Gainesville Florida DMA, so an election statement (following the Class A format) should be uploaded for that station. In addition, because the prior licensee did not upload a must-carry election for the last cycle (2021-23), there is technically a change in carriage status occurring from the last cycle by your uploading one for the 2024-26 cycle, and therefore emails to those cable companies in the Gainesville DMA need to be sent, copying the FCC email address.....so in addition to uploading the carriage election statement to the station public file, also email it no later than October 1, 2023 to all Gainesville DMA cable systems on which the station will be seeking or expecting carriage in the 2024-26 cycle. These must be sent to the [contact emails](#) for cable systems in the COALS system, and copied to electionnotices@fcc.gov. Keep copies of those emails and any responses.