

Countdown to License Renewals—Highlight on Ownership Reports

March 2011

Every eight years, broadcasters—both radio and television—must seek renewal of their Federal Communications Commission (FCC) licenses. For radio stations, this cycle will begin in June 2011; for television stations, filings begin in June 2012. Each month, we will highlight a different component of the license renewal process to help you begin to prepare for your station's license renewal filing. This month, our highlight is on Ownership Reports.

Every two years, licensees must file a Biennial Ownership Report to disclose information concerning the broadcast licensee and parties that hold an attributable interest in the licensee. In the Form 303-S Renewal Application, a broadcaster must certify whether the "Station's biennial ownership has been filed with the Commission as required by 47 CFR §73.3615." At any given time, a station's public file must contain complete copies of the most current ownership reports for the licensee and parent entities. Public File renewal certification was discussed in a previous edition of *Mass Media Headlines* and is available here.

Until May 2009, all commercial and non-commercial stations were required to file an ownership report on Form 323 (commercial stations) or Form 323-E (non-commercial stations), biennially on the anniversary of the station's license renewal. In 2009, the Commission revised the Form 323 for commercial stations only and adopted a new uniform filing date of **November 1 in odd-numbered years**. Because of technical problems with the new form, the original November 1, 2009, filing deadline for the biennial ownership report for all commercial stations was extended to July 8, 2010. This year, however, commercial stations will be required to file a biennial report on November 1, 2011.

Authors

Kathleen A. Kirby
Partner
202.719.3360
kkirby@wiley.law

Joan Stewart
Partner
202.719.7438
jstewart@wiley.law

The filing deadline for non-commercial stations filing the Form 323-E remains unchanged. The Form 323-E should continue to be filed biennially on the anniversary of the non-commercial station's renewal.

Now would be a good time to review your files to ensure that an Ownership Report was filed biennially on the anniversary of your renewal until June 2009 (for commercial stations), then by July 8, 2010, or to present (for non-commercial stations). Licensees should also confirm that complete copies of the most up-to-date ownership report are in the station's public file. Note: in some cases the most current version of an ownership report may not be a Biennial Ownership Report (e.g., Post-Consummation Ownership Report).

Should you have any questions about your station's Ownership Reports or other aspects of the license renewal process, please feel free to contact one of the Wiley Rein Media attorneys.