

ALERT

# Comment Dates Set on FCC Proposal to Eliminate Paper Contract Filing Requirement for Broadcasters

---

February 16, 2018

In another proceeding initiated as part of its effort to modernize the rules that apply to broadcasters, the Federal Communications Commission (FCC) is seeking comment on whether and how to update the requirement that licensees file paper copies of certain contracts and other documents with the agency within 30 days of their execution. As a result of the publication of the notice of proposed rulemaking (NPRM) in the Federal Register, comments are due on March 19, 2018, and reply comments are due on April 2, 2018.

Section 73.3613 of the FCC's rules mandates that broadcasters file paper copies of documents related to ownership and control of a broadcast station with the FCC, and that licensees must also either place copies of, or a list of, such documents in their public inspection files. This requirement—originally adopted in the late 1930s—was intended to keep the FCC and the public informed about station ownership and control. The NPRM notes, however, that as of March 1, 2018, all broadcast stations will have transitioned to an online public file, which “enables greater public access to the contents of the files,” including documents filed under Section 73.3613.

As a result, the NPRM tentatively concludes that the FCC should eliminate the paper filing requirement for all AM, FM, and television broadcast stations, while leaving in place the obligation to include copies of, or a list of, contracts covered by Section 73.3613 in station public files. In addition, the FCC proposes to clarify that the public file must be kept updated regarding Section 73.3613 documents, and that broadcasters must provide copies to the FCC and the public

## Authors

---

Eve Klindera Reed  
Partner  
202.719.7404  
ereed@wiley.law

## Practice Areas

---

Media  
Telecom, Media & Technology

within seven days of receiving a request. The NPRM seeks comment on these issues.

The FCC also asks how it might provide additional clarity under its rules concerning broadcaster documents related to ownership and control and broadcasters' updating obligations with respect to such documents and whether, in the alternative, the agency should eliminate entirely Section 73.3613 and instead amend its public file rules to encompass broadcasters' substantive obligations regarding ownership and control documents. Finally, the FCC asks how it should address the analogous obligations that apply to international broadcast stations—which are authorized on a seasonal basis and the transmissions of which are intended to be received outside of the United States—particularly given that these stations do not have public file obligations.