

ALERT

# Online Public File Reminder: March 1, 2018 Deadline for All Radio Stations That Have Not Yet Transitioned

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January 18, 2018

By **March 1, 2018**, all radio stations that have not yet transitioned their paper public files to the online public file database hosted by the Federal Communications Commission (FCC or Commission) must do so. These include commercial radio stations in Nielsen markets 50+; commercial radio stations in Nielsen markets 1-50 with fewer than 5 full time employees; and all noncommercial radio stations.

The Commission will place some of the required public file material into an individual station's online file (e.g., applications). Use the list below to determine what material the station must upload. By March 1, the required *existing* public file material must be placed online, except for the political file. The Commission is requiring that these stations place only *new* political file information in the online public file. The pre-March 1, 2018 political file material should be maintained in the paper public file until the two-year retention period is over.

**After** the required information has been uploaded to the online public file (and by March 1), each station must complete the following steps to complete its transition to the online public file and make sure the online public file is fully accessible by the public:

- While logged into the online public file, turn the file "on" to make it viewable by the public. To turn the public file "on," slide the toggle switch on the first page from "off" to "on."
- Confirm that the station will upload new material on a going-forward basis to the online public file by checking the box and clicking the "*Confirm—Turn Profile On*" button that appears in a

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## Practice Areas

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Media  
Telecom, Media & Technology

pop-up notice.

- Stations must certify to the Commission that their online public file is complete. To complete this certification, login to the station's public file, click on the Settings tab, on the next page, click on "Certification," check the box and click "submit." **Do not submit this certification** until **all** of the station's existing public file information has been uploaded and you have confirmed that the online public file is complete. Your online public file must be complete and this certification submitted by March 1, 2018.
- Have the following information accessible from the station's homepage:
  - A link to the station's online public file. Note: the link should go directly to the *first page of the station's online public file*, not to the main search page for the online public file database.
  - A link to the most recent EEO Public File Report in the online public file, or a link to a copy of the most recent EEO Public File Report.
  - Contact information for someone who can assist those with disabilities with online public file material.

### ***List of Required Online Public File Materials***

Stations are required to upload all required material that was not filed with the FCC using one of the Commission's online systems (CDBS, LMS). Stations are not required to keep a backup copy of all public file materials. **However**, stations must maintain a backup copy of their political file to make available immediately if the online public file becomes unavailable. Stations can comply with the political file backup requirement by periodically downloading a mirror copy of the public file as long as they maintain copies of all documents uploaded since the last backup.

Broadcast radio licensees must upload:

- Issues/program lists
- Annual EEO public file reports
- Local public notice announcement information (for renewals)
- Political file material
- Joint Sales Agreements/Time Brokerage Agreements (if any)
- Citizens Agreements (if any)
- EEO Audit response (if any)
- Materials relating to FCC investigations or complaints (subject to any limitation directed by the Commission and not including investigative material originated by the FCC, such as letters of inquiry or other investigative requests) (if any)
- Donor Lists: Noncommercial radio broadcasters must upload donor lists to their online public files; however, the FCC will consider requests for waiver if online disclosure of donor information about a particular program could discourage contributions or subject donors to unwanted attention or crime.

The FCC will upload:

- Authorizations
- Applications (AM stations have the option to maintain Form 302-AM locally or to upload it to their online public file)
- Ownership Reports
- EEO forms that are filed with the FCC (Form 396, Form 397)
- The Public and Broadcasting Manual
- Letters of Inquiry and other investigative requests from the FCC (unless the inquiry indicates otherwise)
- Contour maps