Virginia Association of Broadcasters
Legal Review

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June 20, 2016
Legal Memorandum

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June 24 Launch of New Online Public File System Affects
Certain Radio Stations and All Television Stations:
Do you know your compliance deadline? Do you know radio stations
will need to manually toggle their online files to the "ON" position?
Here is a baker's dozen of points for radio and television broadcasters
to review to help prepare for the June 24 compliance deadline.

With the FCC's new online public inspection file system (the "OPIF" system) ready to launch in a few short days—on Friday, June 24, 2016, to be exact—we want to make sure that radio and television stations are aware of several OPIF-related items. To be clear, this memorandum is not intended to address all aspects of the OPIF that we have covered in prior memoranda, and it does not cover public inspection file requirements generally. Indeed, neither this memorandum nor the attached checklists are a substitute for a station's consultation with its own FCC legal counsel for advice about the contents of the public file and the deadline by which the station is required to comply with the new OPIF rules. Instead, this memorandum is intended to address several items that we believe are potentially confusing or have been under-reported. While we encourage you to read this entire memorandum, we understand that station personnel may wish to focus only on the items that affect them as a radio or television broadcaster. To help you identify which paragraphs below apply to your station (as a radio or television station), there are icons in the margin to help guide you.

The FCC has provided some outreach to assist stations as well. As we previously advised, the FCC held an OPIF webcast on June 13. The webcast is available at the following URL address: https://www.fcc.gov/news-events/events/2016/06/demonstration-expanded-online-public-inspection-file-interface.

The required contents of station public inspection files have not changed. This memorandum does not provide a summary of or details about the contents of station public inspection files because the FCC has not changed the substantive requirements of public inspection files. For convenience, two public inspection file "checklists" are attached to this memorandum: One is for radio stations, and one is for television stations. The checklists provide an overview of the contents of public inspection files, and stations are strongly encouraged to consult with their FCC lawyer

in order to ensure their public file is compliant. Stations should not rely on the attached checklists to ensure compliance because the checklists are not legal advice.

Radio stations have staggered compliance deadlines. Initially, only <u>commercial</u> stations whose <u>community of license</u> is located in a <u>top 50</u> Nielsen Audio market and that have <u>5 or more full-time employees</u> will be required to transition their public files to the OPIF ("First Wave Radio Stations"). The FCC has established **June 24, 2016**, as the date that First Wave Radio Stations must begin using the OPIF. Thus, as of June 24, 2016, First Wave Radio Stations must begin uploading **newly-created** public file documents into the OPIF. Existing public file documents that are already in a First Wave Radio Station's public file as of June 23 are **not required to be uploaded by June 24**. The documents that are already in a First Wave Radio Station's public file as of June 23 must be uploaded by **December 24, 2016**.
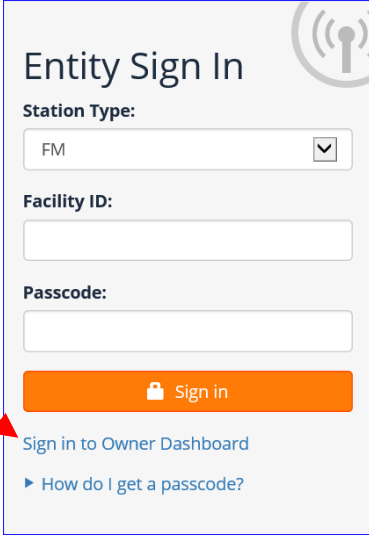
Subsequently, by **March 1, 2018**, all other radio stations ("Second Wave Radio Stations") will be required to have their then-existing public file materials uploaded to the OPIF and begin using the OPIF on a going-forward basis. (In addition, Second Wave Radio Stations are allowed to begin voluntarily using the OPIF at any time on or after June 24, but if they do so, they must transition completely to the OPIF. Second Wave Radio Stations interested in transitioning early, before March 1, 2018, to the OPIF should consult with legal counsel before they commit to and implement their early compliance.)

What is the compliance deadline for a commercial radio station in a top 50 Nielsen Audio market that has <u>four</u> full-time employees on June 24 and hires a fifth full-time employee sometime between June 24, 2016, and March 1, 2018? The FCC has not provided any public guidance on this type of situation, so we asked the Media Bureau Staff for guidance. According to the informal guidance we received, a station in this situation should begin compliance with the online public file requirements as soon as the fifth full-time employee is hired, subject to a 6-month period for uploading then-existing public file documents. In other words, a station in this situation should—on the day the fifth full-time hire is made—begin uploading to the online public file all newly-created documents on a going-forward basis. If the fifth full-timer is hired on August 20, then the first quarterly Issues/Programs List that would need to be uploaded to the OPIF would be the one due October 10, and political file records created on and after August 20 would need to be uploaded "immediately, absent unusual circumstances" (which is what the political record keeping rule requires for all political file materials). The station would then have a period of 6 months from August 20 to upload <u>existing</u> public file material, i.e., those documents and records that were in the public file prior to August 20. If your station finds itself in this situation, our recommendation is to contact your FCC counsel so that you can be prepared for compliance.

Don't be confused by the FCC's "two step" login process. During the FCC's June 13 webcast, there was discussion of a "two step" login process. All radio stations will have a multi-step login process. (Television stations will not.) For radio stations, the first step is to visit the OPIF system login page, click the link to sign in to the "Owner Dashboard" (there is a link for this purpose on the "Entity Sign In" login screen, as shown in the image on the left side below), and enter the licensee's FRN (FCC Registration Number) and password. An image of the login screen for the Owner Dashboard (also called the "Owner Sign In") is on the right side below.
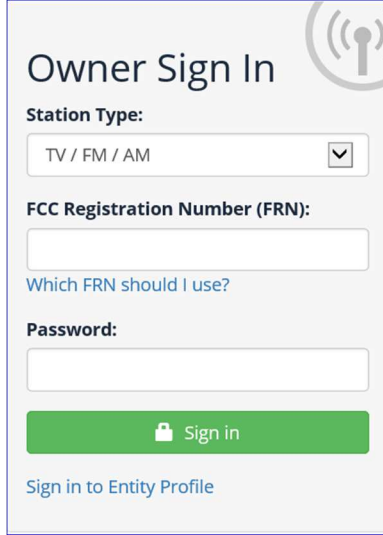
After you are log in to the Owner Dashboard, you will see a tile for each of the licensee's stations. Locate the station's tile and copy down the facility identification number (which is referred to on the tile as "Entity ID") and the passcode. The final step is to return to the "Entity Sign In" box (as shown in the image above), select your "Station Type" from the drop-down menu, enter the station's facility identification number and passcode in their respective fields, and then click the orange "Sign in" button. With that, you will be in the private, upload side of your online public file and ready to begin.
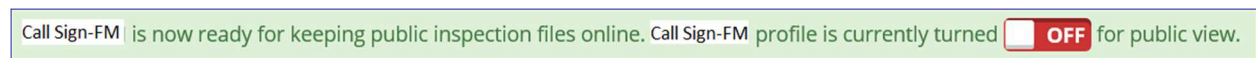
Television stations only have a one-step login process because television stations already have login credentials for their online public files: Television stations should use the same login information (facility ID number and passcode) to access the OPIF as they have used for the existing online public file system.

URL address for OPIF. As of June 24, 2016, the URL address for OPIF will be https://publicfiles.fcc.gov. Prior to June 24, that URL address is non-functional. The FCC Staff has advised that the URL address for the existing television online public file system will automatically redirect to the new URL address as of June 24. Thus, television stations should still be able to visit https://stationaccess.fcc.gov to be redirected to the new OPIF site.

First Wave Radio Stations must "turn on" their online public file on June 24. When the OPIF system launches on June 24, each radio station subject to the June 24 implementation date must login to its online public file and take an affirmative step to actually turn the file on so that it is available to the public. This is a critical compliance step that has not been well publicized by the Commission. When you login to your online file, you will see a green bar at the top of the screen that resembles the image below.

To turn on the file for public view, toggle the red "OFF" button so that it turns green and says "ON." At that time, a dialog box resembling the one below will pop up and ask you to confirm that you want to turn your public file on.

Switching the Public Profile ON   ✕

Please note that once this switch is turned on, the public will be able to search for your profile and see the public file contents. There is no option to turn the profile off and you should continue to upload all new public and political file material on a going-forward basis.

☐ I confirm that you are now uploading to your online public inspection file all new public and political file material on a going-forward basis.

Please note, you can also upload all existing public file material required to be included in the online public inspection file. Once you have completed uploading existing materials visit your "Settings" page and click on the "Certification" page to certify that you have fully transitioned to online public file.

[Close] [Confirm - Turn Profile ON]

If you are a First Wave Radio Station, you are required, on June 24, 2016, to confirm that you are beginning to upload new material on a going-forward basis so that you can turn your public file on for public view on June 24, 2016. On the other hand, Second Wave Radio Stations should not click the blue "confirm" button, nor should they turn on their public file for public view until March 1, 2018 (or an earlier date for those Second Wave Radio Stations who wish to voluntarily engage in full and complete early compliance).

Second Wave Radio Stations—which are not required to comply until March 1, 2018—must be careful to not inadvertently "turn on" their public files early. <u>**Once the "turn on" switch is toggled "on," it cannot be turned off**</u>. Thus, Second Wave Radio Stations must be very careful to ensure that a station staffer does not inadvertently turn the file "on" before the intended compliance date. Once the "OFF" button is toggled to the "ON" position, <u>the green ON/OFF bar shown above will disappear</u>, and it will not be possible to un-do the action.

Television stations do not have to "turn on" their public files in the OPIF system. As of June 24, all television station online public files will already, automatically be turned "on." Television stations that need to upload required materials before June 24 will upload them, as usual, to the <u>existing</u> online public file system; and television stations will begin using the new OPIF system on June 24, without needing to turn the file "on."

After uploading all <u>existing</u> public file materials, radio stations will have to certify that they have done so. During the June 13 webcast, the FCC Staff advised that radio stations are required—at the appropriate time—to complete a certification indicating that they have uploaded all <u>existing</u> public file materials. To be clear, this is not a certification that needs to be made on June 24. This certification should be made only <u>after the station has uploaded all the required public file materials that existed in the station's public file prior to June 24, 2016</u>. Because the deadline for First Wave Stations to upload such existing material is December 24, 2016, many First Wave Stations will not complete this certification until later this year.

After a radio station has uploaded all existing public file materials to the OPIF, it will be ready to make the certification. To access, review, and complete the certification, click on

"settings" in your online public file and then select "certification" from the selections shown below:

| Main Studio Contact | Manage Station Logo | Access Token | Certification |

The certification that will appear when you click on "certification" will resemble the image below:

| Main Studio Contact | Manage Station Logo | Access Token | Certification |

This is to certify that you have uploaded all existing public file material required to be included in the online public inspection file. Once this certification is completed, a notification will be added to all pages on your online public file that you have fully transitioned to online public file.

☐ Yes, I certify that I have uploaded all existing public file material required to be included in the online public inspection file.

submit

For help or assistance please contact us at 1-877-480-3201 or 1-717-338-2824 (TTY) or you may submit requests online via e-support.

The "certification" option will appear on the "settings" bar only after you have toggled the public view of your online public file from "OFF" to "ON." Thus, it is important to remember that this certification is a separate, additional process from turning on the station's file for public view. (The process to "turn on" the station's file is described further above.) **Because this certification is an affirmative representation being made by the station to the FCC, stations may wish to consult with their FCC counsel to ensure their files are complete prior to submitting the certification**.

If your station has a website, you must put a link to the station's online public file on your homepage. Each broadcast station with an online public inspection file is required to post a hyperlink on the station's homepage (if the station has a website) to link directly to the station's online public inspection file. For radio stations, this means creating a hyperlink on June 24 when the OPIF system goes live. For television stations, once the OPIF goes live on June 24, each television station should check the existing link on its website homepage to ensure that the link properly connects to the station's file in the new OPIF system; if it does not, you will need to re-link it.

Television files from the existing online system will be automatically imported into the OPIF system. Television stations do not need to move the files over themselves. We strongly recommend that television stations double-check the contents of their online files in the OPIF after the FCC imports the existing files on June 24. If any records from the existing online system are missing from the new OPIF system, you should contact the FCC Help Desk (at 877.480.3201 or 717.338.2824 (TTY) or online via https://esupport.fcc.gov/request.htm) and your FCC legal counsel to determine whether to re-upload the documents along with an explanatory note.

Television stations should check to make sure the FCC successfully imports all existing files to the new OPIF system. If any records from the existing online system are missing from the new OPIF system, you should contact the FCC Help Desk (at 877.480.3201 or 717.338.2824 (TTY) or online via https://esupport.fcc.gov/request.htm) and your FCC legal counsel to determine whether to re-upload the documents along with an explanatory note.

To prepare for the transition to the new OPIF, television stations can download a "mirror" copy of all documents in their existing online public files. In order to facilitate your review of the contents of your files in the new OPIF (and to replace any documents that are not successfully imported from the existing system to the OPIF), you may wish to download a mirror copy of your existing public file on June 22 or 23. That process will save all the contents of your current online public file to your hard drive for convenient retrieval if needed. To do so, look for the `Download File Archive (.zip)` link after you login to your existing online file. (It is located at the bottom left of the landing page.) Click the link, select "save," and direct it to save to a convenient location on your hard drive. Depending on how many documents you have in your online public file, the download process could take anywhere from a few minutes to more than a half-hour (substantial political files tend to slow the process down), so be sure to plan ahead.

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We encourage all television stations and all First Wave Radio Stations to login to the OPIF early in the day on Friday, June 24, to ensure their files are functioning properly. Remember, too, that the FCC's "demo" site (https://publicfiles-demo.fcc.gov/admin/) remains available through June 23, 2016, to help stations practice uploading records and grow accustomed to the OPIF environment. Best wishes to all broadcasters who will be interacting with the new OPIF system on June 24! Please contact any of the undersigned as needed.

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If you have any questions concerning the information discussed in this memorandum, please contact your communications counsel or any of the undersigned.

Stephen Hartzell, Editor

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This Legal Review should in no way be construed as legal advice or a legal opinion on any specific set of facts or circumstances. Therefore, you should consult with legal counsel concerning any specific set of facts or circumstances.

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RADIO STATION
PUBLIC INSPECTION FILE CHECKLIST

PAPER PUBLIC FILE LOCATION & ACCESSIBILITY

❑ For stations that are <u>not</u> Top 50 market commercial stations with 5 or more full time employees, a complete paper public file must be located until March 1, 2018, at the station's main studio, unless such a station opts to fully convert to online system early.

❑ For Top 50 market commercial stations with 5 or more full time employees, beginning June 24, 2016, only correspondence file, existing political, and back-up political file materials must be located at station's main studio.

❑ If documents are maintained in a computer database, a computer terminal must be available at the location of the public file.

❑ File must be available during regular business hours. Appointments cannot be required.

❑ Only stations with a main studio located outside the city limits of the community of license are required to honor telephone requests for information; mailing area limited to local service area; political file material exempt.

❑ Photocopying must be available for members of the public. Stations can charge reasonable photocopying fees. Must provide copies within 7 days.

❑ Stations may require personal identification of members of the public, but may not require that persons identify the organization they represent or the reason for the inspection.

CONTENTS OF THE PUBLIC FILE

Station Authorizations (FCC Imports Some; Station Uploads Some)

❑ Current FCC authorizations to construct or operate the station. Main station license imported by FCC; STAs uploaded by station.

❑ All documents relating to current FCC authorizations.

❑ Remove all authorizations and documents except those relating to the <u>current</u> authorization.

Applications and Related Materials (FCC Imports)

❑ Applications tendered for filing with the FCC.

❑ All documents relating to applications tendered for filing, including Initial Decisions and Final Decisions.

❑ If any petitions to deny have been filed against an application, there must be a statement regarding those petitions.

❑ Keep applications granted pursuant to a waiver for as long as the waiver is in effect.

❑ Keep applications granted for a shortened term until final action has been taken on the application filed immediately following the shortened term.

❑ Remove any other applications and materials relating to any application on which final action has been taken.

Citizen Agreements (Station Uploads)

❑ Copies of any written agreements between the station and one or more citizens or citizen groups entered into for non-commercial purposes.

❑ Remove any agreement where the term of that agreement has expired.

The Public and Broadcasting Manual (Link Provided by FCC on Initial Page of Online Public File)

❑ Copy of the latest version (July 2008) of the FCC manual titled "*The Public and Broadcasting.*"

Contour Maps (FCC Imports)

❑ Check the map provided by the FCC in your online public file.

❑ If the contour map imported by the FCC is not correct, upload correct contour map into "Authorizations" folder and notify your legal counsel or the FCC that the contour map imported by the FCC was incorrect.

Ownership Reports (FCC Imports) and Related Materials (Station Uploads)

❑ Copy of the most recent, complete ownership report filed with the FCC.

❑ Copies of materials related to the ownership report.

❑ Copies of or an up-to-date list of contracts listed in the ownership report. A list is contained in the ownership reports, but stations must take care to maintain a current list in the file.

❑ Remove any documents that do not relate to the current ownership report.

Political File & Sponsorship Identification Lists (Station Uploads)

❑ Records concerning requests to purchase broadcast time by a legally qualified candidate or that communicate a message relating to any political matter of national importance.

❑ Stations must maintain a "back up" copy of such records at the main studio in the event the online public file becomes unavailable.

❑ Such records must contain the following information: (A) whether the request to purchase broadcast time is accepted or rejected by the station; (B) the rate charged for the broadcast time; (C) the date and time on which the advertisement is aired; (D) the class of time that is purchased; (E) the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, the election to which the advertisement refers, or the issue to which the advertisement refers (as applicable); (F) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and (G) in the case of any other request, the name of the person or entity purchasing the time, the name, address, and phone number of a contact person for such purchaser, and a list of the chief executive officers or members of the executive committee or of the board of directors of such purchaser.

❑ Lists of chief executive officers or members of the executive committee or of the board of directors of all entities that pay for or furnish broadcast matter that involves political issues or controversial issues of public importance (non-federal third-party ads).

❑ Remove these records after a period of two years.

EEO (FCC Imports Some; Station Uploads Some)

❑ EEO Public File Report (every year at license renewal date) – uploaded by station.

❑ EEO Audit Materials – uploaded by station.

❑ FCC Form 396 (filed with renewal application) – imported by FCC.

❑ FCC Form 397 (filed at midway point of license term) – imported by FCC.

❑ Remove all materials that do not relate to the present term of the station's broadcast license.

Material Relating to FCC Investigation or Complaint (FCC Imports Some and Station Uploads Some)

❑ Copy of all material relating to any matter that is the subject of an FCC investigation or complaint to the FCC. Viewer correspondence that is not the subject of an FCC investigation does not need to be uploaded, but instead maintained in the correspondence file.

❑ Remove material from this folder only if the station has been notified in writing that certain material may be discarded.

Local Public Notice Announcements (Station Uploads)

❑ When the station airs license renewal pre-filing and post-filing announcements, the station must upload to the public file (within 7 days of the last broadcast of the announcement) a certification of compliance with the public notice requirement.

❑ Remove statements when final action has been taken on the renewal application to which a certifying statement refers.

Radio Issues/Programs Lists (Station Uploads)

❑ For each calendar quarter, lists of programs that have provided the station's most significant treatment of community issues with a brief narrative describing what issues were given significant treatment and the programming that provided this treatment. Lists must be placed in the file by the tenth day of the succeeding calendar quarter.

❑ Remove all issues/programs lists that do not relate to the present term of the station's broadcast license.

Correspondence File: Letters and E-Mail from the Public (Paper Public File Only. Do NOT Upload to Online Public File)

❑   Only <u>commercial</u> stations.

❑   All written comments and suggestions received from the public regarding station operations.

❑   All comments and suggestions received over the Internet to station management or publicized station address. They may be kept either on paper or in a computer file. If in a computer file, file must be available to the public. Social media posts (Facebook, Twitter, etc.) are NOT required to be maintained in the public file.

❑   Remove letters and e-mail after three years from the date received.

Radio Time Brokerage Agreements (Station Uploads)

❑   Only <u>commercial</u> stations.

❑   A copy of every agreement or contract involving time brokerage of the station or of another broadcast facility by the station. Confidential or proprietary information may be deleted.

❑   Remove any time brokerage agreements where the term of that agreement has expired.

Radio Joint Sales Agreements (Station Uploads)

❑   Only <u>commercial</u> stations.

❑   Copies of every agreement for the joint sale of advertising time involving the station.

❑   Remove each agreement after its term has expired.

Donor Lists

❑   Only <u>non-commercial</u> stations.

❑   Lists of donors supporting specific programs.

❑   Remove all donor lists that have been in the file for over 2 years from the date of the broadcast of the specific program supported.

TELEVISION STATION
PUBLIC INSPECTION FILE CHECKLIST

PAPER PUBLIC FILE LOCATION & ACCESSIBILITY:

❑ Correspondence file and "back-up" political file materials must be located at station's main studio.

❑ If such documents are maintained in a computer database, a computer terminal must be available at the location of the correspondence and political files.

❑ File must be available during regular business hours. Appointments cannot be required.

❑ Only stations with a main studio located outside the city limits of the community of license are required to honor telephone requests for information; mailing area limited to local service area; political file material exempt.

❑ Photocopying must be available for the public. Stations can charge reasonable photocopying fees. Must have copies within 7 days.

❑ Stations may require personal identification of members of the public, but may not require that persons identify the organization they represent or the reason for the inspection.

CONTENTS OF THE PUBLIC FILE:

Station Authorizations (FCC Imports Some; Station Uploads Some)

❑ Current FCC authorizations to construct or operate the station.

❑ All documents relating to current FCC authorizations.

❑ Remove all authorizations and documents except those relating to the <u>current</u> authorization.

Applications and Related Materials (FCC Imports)

❑ Copies of all applications tendered for filing with the FCC.

❑ All documents relating to applications tendered for filing, including Initial Decisions and Final Decisions for applications that are the subject of a hearing.

❑ If any petitions to deny have been filed against an application, there must be a statement regarding those petitions.

❑ Keep applications granted pursuant to a waiver for as long as the waiver is in effect.

❑ Keep license renewal applications granted for a shortened license term until final action has been taken on the application filed immediately following the shortened term.

❑ Remove any other applications and materials relating to any application on which final action has been taken.

Citizen Agreements (Station Uploads)

❑ Copies of any written agreements between the station and one or more citizens or citizen groups entered into for non-commercial purposes.

❑ Remove any agreement where the term of that agreement has expired.

Contour Maps (FCC Imports)

❑ Check the map provided by the FCC in your online public file.

❑ If the contour map imported by the FCC is not correct, upload correct contour map into "Authorizations" folder and notify your legal counsel or the FCC that the contour map imported by the FCC was incorrect.

Material Relating to FCC Investigation or Complaint (FCC Imports Some; Station Uploads Some)

❑ Copy of all material relating to any matter that is the subject of an FCC investigation or complaint to the FCC. Viewer correspondence that is not the subject of an FCC investigation does not need to be uploaded, but instead maintained in the correspondence file.

❑ Remove material from this folder only if the station has been notified in writing that certain material may be discarded.

Political File & Sponsorship Identification Lists (Station Uploads)

☐ All TV and Class A TV stations must upload to online public files.

☐ Records concerning requests to purchase broadcast time by a legally qualified candidate or that communicate a message relating to any political matter of national importance.

☐ Records must contain the following information: (A) whether the request to purchase broadcast time is accepted or rejected by the station; (B) the rate charged for the broadcast time; (C) the date and time on which the advertisement is aired; (D) the class of time that is purchased; (E) the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, the election to which the advertisement refers, or the issue to which the advertisement refers (as applicable); (F) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and (G) in the case of any other request, the name of the person or entity purchasing the time, the name, address, and phone number of a contact person for such purchaser, and a list of the chief executive officers or members of the executive committee or of the board of directors of such purchaser.

☐ Lists of chief executive officers or members of the executive committee or of the board of directors of all entities that pay for or furnish broadcast matter that involves political issues or controversial issues of public importance (non-federal third-party ads).

☐ Remove these records after a period of two years.

EEO (FCC Imports Some; Station Uploads Some)

☐ EEO Public File Report (every year at license renewal date) – Must be uploaded by stations.

☐ FCC Form 396 (filed with renewal application) – imported by FCC.

☐ FCC Form 397 (filed at midwy point of license term) – imported by FCC.

☐ Remove all materials that do not relate to the present term of the station's broadcast license.

Correspondence File: Letters and E-Mail from the Public (Paper Public File Only. Do NOT Upload to Online Public File)

☐ Commercial stations only.

☐ All written comments and suggestions received from the public regarding the operation of the station.

☐ All comments and suggestions received over the Internet to station management or publicized station address. They may be kept either on paper or in a computer file. If in a computer file, file must be available to the public.

☐ Remove letters and E-mail after three years from the date received.

Ownership Reports (FCC Imports) and Related Materials (Stations Upload)

☐ Copy of the most recent, complete ownership report filed with the FCC.

☐ Copies of all materials related to the ownership report.

☐ Copies of or an up-to-date list of contracts listed in the ownership report. A list is contained in the ownership reports, but stations must take care to maintain a current list in the file.

☐ Remove any documents that do not relate to the current ownership report.

Local Public Notice Announcements (Stations Upload)

☐ When the station airs license renewal pre-filing and post-filing announcements, the public file must contain a statement certifying compliance with the public notice requirement. Must be put in the file within 7 days of the last broadcast of the announcement.

☐ Remove statements when final action has been taken on the renewal application to which a certifying statement refers.

The Public and Broadcasting Manual (Link Provided by FCC on First Page of Online Public File)

☐ Copy of the July 2008 version of the FCC manual titled "*The Public and Broadcasting*."

DTV Consumer Education Reports (FCC Imports)

❑ For each calendar quarter between 1Q 2008 and the quarter in which the station transitioned to digital-only operation, a copy of the station's DTV Education Report on FCC Form 388.

❑ Remove all DTV Education Reports that are more than one year old.

Television Issues/Programs Lists (Stations Upload)

❑ For each calendar quarter, lists of programs that have provided the station's most significant treatment of community issues with a brief narrative describing what issues were given significant treatment and the programming that provided this treatment. Lists must be placed in the file by the tenth day of the succeeding calendar quarter.

❑ Remove all issues/programs lists that do not relate to the present term of the station's broadcast license.

Children's Television Programming Reports (FCC Imports)

❑ Commercial stations only.

❑ For each quarter, a completed FCC Form 398. These must be placed in the file by the 10th day of succeeding calendar quarters.

❑ Remove FCC Form 398s that do not relate to the present term of the station's broadcast license.

Records Concerning Commercial Limits in Children's Programming (Stations Upload)

❑ Commercial stations only.

❑ Records sufficient to substantiate the station's certification of compliance with the commercial limits on children's programming—typically quarterly certifications.

❑ Remove records that do not relate to the present term of the station's broadcast license.

Must-Carry or Retransmission Consent Election (Stations Upload)

❑ Copies of all must-carry or retransmission consent election letters.

❑ **Never include retransmission consent agreements or documents relating to negotiation of such agreements.**

❑ Remove each letter after the three year election period to which that letter applies.

Time Brokerage Agreements (Stations Upload)

❑ Commercial stations only.

❑ Copies of every agreement involving time brokerage of the licensee's station.

❑ Remove each agreement after its term has expired.

Joint Sales Agreements (Stations Upload)

❑ Commercial stations only.

❑ Copies of every agreement for the joint sale of advertising time involving the station.

❑ Remove each agreement after its term has expired.

Donor Lists (Stations Upload)

❑ Non-commercial stations only.

❑ Lists of donors supporting specific programs.

❑ Remove all donor lists that have been in the file for over 2 years from the date of the broadcast of the specific program supported.

Class A Continuing Eligibility Certification (Stations Upload)

❑ Class A television stations only.

❑ Documentation sufficient to demonstrate that the station is continuing to meet the eligibility requirements for Class A status (i.e., the station broadcasts at least 18 hours per day and an average of at least three hours per week of locally produced programming each quarter).

❑ Upload each quarter by the 10th day of succeeding calendar quarters.