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Report to the Chairman, Committee on Energy and Commerce, House of Representatives

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TELECOMMUNICATIONS

Changes in Selected Broadcast and Cable Television Reporting Requirements

GAO

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Resources, Community, and
Economic Development Division

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The Honorable John D. Dingell
Chairman, Committee on Energy
and Commerce
House of Representatives

Dear Mr. Chairman:

Your September 15, 1987, letter requested that we review the Federal Communications Commission's (FCC) collection and use of broadcast and cable television data.[1] Specifically, you asked us to provide (1) an inventory of financial and ownership data currently collected by FCC; (2) a discussion of FCC's use of this data and whether, in FCC's view, the data have served the Commission's needs; (3) a comparison of this data with the data collected prior to 1981; and (4) a presentation of FCC's rationale for changes in data collected. As agreed with your office, we focused our review on financial and ownership reporting requirements for broadcasters and cable television operators.

Results in Brief

FCC at present requires broadcasters and cable television operators to submit one annual ownership report and no annual financial reports. New station licensees are required to submit an application containing a one-time certification that they are financially qualified to operate a station without revenue for 3 months.

We found that FCC, in the late 1970s, began to reduce or eliminate certain ownership and financial data requirements for broadcasters and cable television operators. Specifically, FCC reduced from 1 year to 3 months the length of time for which broadcast license applicants must be able to demonstrate the ability to operate a station without revenue, abolished the annual financial reporting requirement for broadcast stations and cable television systems, and limited the reporting of station ownership interests to shareholders holding ownership interests of 5 percent or more. The overall reason for changes in the reporting requirements was FCC's desire to rely less on regulatory oversight and more on market forces to ensure that broadcasters operate in the public interest. To justify this new policy, FCC cited changed circumstances. In particular, FCC found that cable television and UHF television had developed to

[1] Your letter also requested that we review FCC's spectrum management policies. We provided an oral briefing to your staff in January 1988, which satisfied that portion of the request.

the point that FCC no longer had to be concerned about their ability to compete with the established VHF television. Also, as part of its general policy of relying on market forces, FCC decided it no longer had to be concerned with the potential economic harm to existing broadcasters (to the extent that the public interest might also suffer) resulting from the licensing of new competing broadcasters.

FCC Reduces Financial Qualifications for Broadcast Permit Applicants

FCC first required broadcast station license applicants to report financial qualifications data in 1965. Applicants had to demonstrate an ability to operate a new station without revenue for 1 year. In 1981, FCC completed action to change the 1-year revenue requirement to a 3-month requirement. FCC also reduced the requirement for broadcasters to provide supporting documentation with the broadcast station construction permit application (Form 301) and instead began requiring only a statement of certification by the applicant. FCC stated that the change would promote minority participation in the broadcast industry and that it recognized that success or failure of a broadcast station was dependent not only on the financial resources of the licensee but also on market forces and management quality. However, most recently, FCC noted that some applicants certified their financial qualifications without basis or justification. Accordingly, FCC instituted a program of random requests for additional financial information. FCC is also asking for public comments on a proposed revision of Form 301 that asks for more financial information and documentation.

FCC Abolishes Annual Financial Reporting Requirements

FCC had required annual financial reporting for broadcasters since the late 1930s. However, in 1982, FCC instituted a policy change that reduced the role financial data and information on individual broadcasters would play in its regulatory decisions. This led to FCC's decision to eliminate its financial reporting form (Form 324). In its decision, FCC cited, among other reasons, the reporting burden to broadcasters and the availability of data and information from special studies and private sources. The financial reporting form for cable television systems, begun in 1971, was eliminated in 1983 for similar reasons.

FCC's rationale when eliminating its financial reporting requirements was that "the quantity of data collected on a regular basis through the reporting process is unnecessary for the Commission's policy planning and analytical tasks. To the extent that financial data is necessary to the Commission's policy making functions, better and less costly means of acquiring it are available." More recently, FCC's abolition of what is referred to as the Carroll doctrine provided additional rationale for eliminating the financial reporting requirements. Under that doctrine, existing broadcasters could claim economic injury if, for example, FCC licensed additional stations in their markets. FCC no longer recognizes such claims as legitimate. In FCC's view, this policy change removed any remaining justification to continue collecting financial data on individual broadcasters.

FCC Revises Ownership Reporting Requirements

FCC maintains broadcast ownership files on approximately 11,000 broadcast stations. FCC began collecting broadcast ownership data (Form 323) in the 1940s as part of its efforts to limit single-entity ownership of many broadcast stations. Over the years, FCC has collected broadcast ownership data in order to (1) compile specific information on ownership of broadcast stations and (2) enforce its rules concerning the number of stations an owner may have.

FCC revised its ownership reporting requirements in 1986 to reflect changes FCC made in its ownership attribution rules. Specifically, FCC raised its reporting threshold to 5 percent, meaning that only broadcast ownership interests of 5 percent or more needed to be reported to FCC. Previously, the threshold was 1 percent. FCC based its decision in part on a survey which revealed that a 5-percent attribution benchmark was likely to identify nearly all stockholders having a realistic potential for influencing or controlling the licensee.

FCC requires cable television operators to file an ownership form similar to the one required for broadcast stations, with additional information on cable television operations; however, portions of the form that concern operator ownership and control have not been required since 1977. At that time, FCC stated that it lacked resources to maintain the database and consequently waived the requirement.

FCC Will Use Alternative Data Sources

Because of these changes, FCC believes that its need and justification for data have decreased significantly. When FCC is requested by interested parties to take certain actions or review its decisions and regulations, it expects to rely on the requirement that those making the request disclose the pertinent facts or documents. This is known as "discovery." FCC also expects to rely on special studies plus private-sector data sources to meet its data requirements.

We obtained information for this report through interviews with FCC officials in Washington, D.C., and broadcast industry representatives and through a review of FCC policies, decisions, and regulations. (Our scope and methodology are discussed in more detail in appendix I.)

At your direction, we did not obtain official agency comments on a draft of this report. However, we discussed the factual information with FCC officials during the course of our work. FCC officials generally agreed that this information is accurate, and we incorporated their views as appropriate. As arranged with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from the date of this letter. At that time, we will send copies of this report to the Chairman, Federal Communications Commission, and other interested parties upon request.

Major contributors to this report are listed in appendix XI.

Sincerely yours,

Flora H. Milans

Flora H. Milans
Associate Director

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Abbreviations

ACTV	Atlantic City Television Corporation
FCBA	Federal Communications Bar Association
FCC	Federal Communications Commission
GAO	General Accounting Office
MAP	Media Access Project
NAB	National Association of Broadcasters
NCTA	National Cable Television Association
NLC	National League of Cities
NTIA	National Telecommunications and Information Administration

Background

FCC's Legislative Charter

The Communications Act of 1934 (47 U.S.C. 151 et seq.) directs the Federal Communications Commission (FCC) to regulate interstate and foreign commerce via wire and radio communications, such as telephone, telegraph, radio, and television. The act grants FCC general rulemaking authority and control over radio and television transmission (section 303) and authorizes it to grant construction permits and station licenses to those who wish to broadcast radio and television signals over the airwaves (sections 307 and 308). The act directs FCC to determine "whether the public interest, convenience, and necessity would be served by the granting of such application" (section 309). FCC is also authorized to "establish guidelines for the exercise of Federal, State, and local authority with respect to the regulation of cable [television] systems" (section 601 [also known as title VI, Cable Communications Act of 1984]; see also 47 C.F.R. part 76).

FCC's Collection of Broadcast and Cable Television Industry Data

FCC has historically required broadcasters to submit a number of forms containing specific information about their operations. These forms, submitted by broadcasters and cable television operators, have enabled FCC to carry out its mandate and regulatory policies and to provide public access to broadcast information. More specifically, FCC has a longstanding interest in collecting financial and ownership data from broadcasters so that it can (1) oversee the financial health of the industry and (2) monitor broadcast station ownership. In addition, FCC's publicly available data have been a resource for broadcast interests when they file various requests and petitions before FCC.

The principal forms FCC has used to gather financial and ownership data are

- FCC Form 301, Application for Construction Permit for Commercial Broadcast Station (app. V);
- FCC Form 324, Annual Financial Report of Networks and Licensees of Broadcast Stations (app. VI);
- FCC Form 326, Annual Report of Cable Television Systems (Financial Unit Data) (app. VII);
- FCC Form 323, Ownership Report (app. VIII); and
- FCC Form 325, Annual Report of Cable Television Systems (ownership reporting form) (app. IX).

)bjectives, Scope, and Methodology

On September 15, 1987, the Chairman, House Committee on Energy and Commerce, asked us to perform two tasks related to the Committee's FCC oversight responsibilities. We completed the first task, a review of FCC's spectrum management policies, with an oral briefing to the Committee staff in January 1988. This report, covering the second task, examines FCC's broadcast ownership and financial data reporting requirements. The report (1) inventories the financial and ownership data currently collected; (2) discusses how FCC has used this data and whether, in FCC's view, the data have served the Commission's needs; (3) compares the current data with the data collected prior to 1981; and (4) presents FCC's reasons for revising its reporting requirements.

Our review was conducted in Washington, D.C., between December 1987 and June 1988 at the FCC Mass Media Bureau and the Office of the Managing Director. To determine the various roles and functions the data have played, we interviewed FCC officials and conducted an extensive review of written documents, including records of FCC regulations, case law, rulemaking proceedings, and rulemaking decisions. We reviewed the history of related FCC policies and decisions involving the collection and use of financial and ownership data. We also interviewed various broadcast industry representatives to identify private data sources.

As directed by the requester, we did not obtain official agency comments on a draft of this report. However, we discussed the factual information with FCC officials during the course of our work. FCC officials generally agreed that the information was accurate, and we incorporated their views where appropriate.

History of FCC's Broadcast and Cable Television Ownership and Financial Reports

In the past, FCC required reports of financial qualifications from broadcast license applicants so that it could evaluate the ability of applicants to build and operate a broadcast station. FCC also required annual financial reports and annual ownership reports from broadcasters. FCC used the annual financial reports for cases and decisions in which the financial condition of a broadcaster was at issue or economic injury had been claimed. FCC used the ownership reports, maintained as files on approximately 11,000 broadcast stations, to monitor compliance with its rules governing multiple ownership of broadcast stations. FCC also required limited general financial and ownership information from cable television operators.

History of FCC Form 301—Application for Authority to Construct or Modify a Broadcast Station

In 1965, FCC first required reports of financial qualifications from applicants seeking permits to construct UHF television stations in communities where three commercial television stations were already in operation. This new standard emerged from an FCC opinion expressed in the case of Ultravision Broadcasting Company and Superior Broadcasting Corporation.[1] In the opinion, FCC stated that it wanted to stimulate the earliest possible development of the UHF medium but acknowledged that this goal might be impaired if the financial failures of the early years of UHF broadcasting were repeated. FCC therefore required that applicants "project estimated annual revenues over a 3-year period and . . . establish by evidentiary proof the basis for such estimates." FCC also required a "realistic" estimate of construction costs and operating expenses and a disclosure of all factors considered in computing such costs and expenses. The idea was to determine which of the applicants had "demonstrated a reasonable likelihood of construction and continuing operation of its proposed station in the public interest."

In the same case, FCC established financial qualification standards for all other applicants: AM radio, FM radio, VHF television, and all other UHF television. All applicants were required to demonstrate the financial ability to operate their stations for 1 year after construction. This was interpreted as an applicant's ability to meet costs and expenses without income during the first year. FCC reasoned that "a continuing operation is a vital public interest factor in the case of applications for other commercial broadcast facilities as well."

In general, FCC continues to use the information from Form 301 to evaluate an applicant's ability to build and operate a broadcast facility in the

[1] FCC 65-581, 5 RR 2d 343 (1965).

public interest. FCC employs teams of examiners to review the applications and recommend either approval or denial of the application. Form 301 is also used in what is known as the "comparative renewal" process. In the process, an applicant attempts to have FCC deny a current holder's renewal of a station license and then become the new holder. The applicant presents certain evidence that it believes provides grounds for FCC's denial of the renewal.

History of FCC Forms 324 and 326—Annual Financial Reports

FCC Form 324

FCC has collected annual financial data from broadcasters since the mid-1930s. FCC Form 324, Annual Report of Networks and Licensees of Broadcast Stations, recorded information on broadcast revenues, expenses, and property. FCC changed the form over the years, generally simplifying the format and reducing the amount of data collected. For example, from 1947 to 1962, FCC required submission of a balance sheet but subsequently eliminated it. In 1982, FCC eliminated Form 324 entirely. (See app. III.)

FCC used Form 324 financial information in a number of rule violation cases to verify financial status when a license holder claimed inability to pay FCC's fine. Further, Form 324 financial data played a role in proceedings in which broadcasters put their financial condition at issue by alleging that economic injury had been done to them.[2] In both kinds of cases, FCC recognized that financial information was important to these proceedings and assumed that a broadcaster raising the financial issue had determined that the benefits gained by participation in the proceedings outweighed any possible competitive harm the broadcaster might expect from public disclosure of its financial data.

FCC also used Form 324 financial data in the transfer and assignment of broadcast licenses, principally in instances in which economic injury was also claimed. For example, in the case of Northeastern Educational Television of Ohio, Inc., the company's application to expand coverage was contested by educational television station WVIZ-TV of Cleveland,

[2]Classical Radio for Connecticut, Inc., 69 FCC 2d 1517, 44 RR 2d 1063 (1978); Amaturo Group, Inc., 62 FCC 2d 1, 39 RR 2d 415 (1976).

Ohio, on the grounds that "increased overlap of the service areas of the stations will have a significant adverse impact on the economic viability" of WVIZ.[3] FCC found that the allegation was not supported by the data. In another case, Jersey Cape Broadcasting Corporation applied to FCC to (1) move its UHF television station's studio and transmitter facilities outside of Wildwood, New Jersey, closer to Atlantic City; (2) make a number of changes to its facilities; and (3) transfer the station license to South Jersey Broadcasting Corporation, the owner of another station in the area.[4] The application was contested by Atlantic City Television Corporation (ACTV), a nearby broadcasting firm, on the grounds that, among other things, FCC's "one-to-a-market" rule would be violated. (Basically, the rule provides that a party is limited to ownership of one AM-FM combination, one television station, or one daily newspaper in a market.)[5] ACTV argued that the transfer would create a large combination in the Atlantic City area. Form 324 financial data were considered proprietary by FCC and were usually not available for public inspection. However, to support its contention, ACTV petitioned for and was granted access to the Form 324 annual financial reports for WCMC-TV, Jersey Cape's television station, under a Freedom of Information Act request. ACTV's purpose in obtaining the financial data was to show that the relocation was not necessary from a financial standpoint; WCMC had been profitable in its own market and did not need to move into another market to ensure its profitability. FCC found in favor of Jersey Cape, citing mainly other-than-financial reasons. However, in the course of evaluating the case, FCC had the opportunity to examine the financial reports and confirmed a statement made by Jersey Cape in its petition that WCMC-TV had never generated revenues in excess of $75,000, regarded as small in comparison with the revenues of other small-market UHF television stations.

FCC's past interest in the financial health of the broadcast industry resulted in a 1976 FCC staff study that attempted to project the growth of television broadcasting.[6] Using Form 324 financial data, the staff constructed models that would yield estimates of station profits and predict viability. However, the staff reported that none of their methods did a good job of predicting profits, particularly for UHF stations or stations

[3]WEAO-TV, Akron, Ohio, FCC 80-353, 47 RR 2d 1207 (1980).

[4]Jersey Cape Broadcasting Corporation, FCC 81-78, 49 RR 2d 202 (1981).

[5]47 C.F.R. sections 73.35, 73.240, and 73.636.

[6]"Projecting the Growth of Television Broadcasting: Implications for Spectrum Use," R. E. Park et al., prepared for FCC, February 1976.

lacking network affiliation—precisely those stations they were most concerned about. The report indicated that aggregate financial data are useful as general measures, over time, of industry performance and of changes in the composition of revenues and expenses. However, the report concluded that financial data filed by individual stations have little use for policy-making purposes. According to the report, comparisons of individual station performance are questionable because of problems with the reliability of data, differences in station operating modes, and other factors that cannot be taken into account systematically.

FCC Form 326

In October 1971, FCC adopted regulations requiring cable television system operators to file annually FCC Form 326, Annual Report of Cable Television Systems (Financial Unit Data). FCC believed that this financial form would help it fulfill its oversight responsibilities by enabling it to keep abreast of cable television developments. Calendar year 1971 was the first reporting period covered by Form 326. For 1972, FCC changed the reporting period from the calendar year to the cable operator's fiscal year and required submission of the form within 90 days of the close of that year. FCC required Form 326 from cable operators through 1981 and then discontinued the requirement. (See app. III.)

Form 326 requested data on levels of fees charged to cable system consumers, revenues and expenses, depreciation and amortization, assets, liabilities, owner's equity, system development costs, overhead costs, and number of employees and salaries. FCC determined that Form 326 was generally exempt from the mandatory disclosure provisions of the Freedom of Information Act and did not routinely make it available for public inspection. However, Form 326 financial data have played a role in FCC proceedings. For example, in the case of NTV Enterprises, Inc., FCC determined that it could disclose a cable system's Form 326 financial data if the cable system placed its financial condition at issue in a proceeding.[7]

[7]NTV Enterprises, Inc., 62 FCC 2d 722,724, 37 RR 2d 1084 (1976).

History of FCC Forms 323 and 325—Ownership Reports

FCC Form 323

All broadcast station licensees are required to report annually on FCC Form 323, Ownership Report, the following information: (1) names of all officers and directors, with specific data on their stockholdings, citizenship, and dates of election, and (2) names of all partners and stockholders (if more than 50 stockholders, only those with 5 percent or more of the outstanding stock) and their interests and citizenship. Form 323 also requires information on any other broadcast interests of the licensee and its principal parties (officers, directors, stockholders, and partners) as well as any family relationships or business associations among the principals. In addition, the form requires a listing of all stock transactions since the previous report, including date, amount paid, and the before and after stockholdings and votes of transferror and transferee.

Ownership reports are routinely examined by FCC examiners to detect violations of foreign-ownership restrictions, multiple-ownership rules, and unauthorized transfers of controlling interest. However, according to FCC officials, they do not routinely conduct independent investigations verifying license holders' statements unless information is brought to their attention by the public.

The FCC Form 323 ownership reporting requirement is a product of FCC's efforts to limit multiple ownership of broadcast stations.[8] These efforts began in the 1940s with certain local and national restrictions FCC's "seven-station" rule—which restricted broadcasters from owning more than a total of seven AM radio stations, seven FM radio stations, and seven television stations—was adopted in 1953. FCC's objective was "to promote diversification of ownership in order to maximize diversification of program and service viewpoints as well as to prevent undue concentration of economic power contrary to the public interest." In

[8]FCC also has requirements relating to "alien" ownership and "cross-interest" ownership of stations in the same market. These alien ownership restrictions and cross-interest policies do not affect multiple-ownership restrictions and are considered separate issues. The alien ownership restrictions are primarily intended to protect the United States in time of war, differ in scope and effect, and principally restrict aliens from direct ownership of any single broadcast entity. FCC applies its cross-interest policy (restrictions on licensees attempting to acquire ownership interests in other broadcast entities) mostly in contexts in which only two stations operate in a particular area ("duopoly") and in which the possibility exists that one station in a particular area could acquire an interest in another station in the same area ("one-to-a-market").

addition, FCC approval is needed to effect the purchase and sales of broadcast stations or transfers of control. In 1984, FCC revised the seven-station rule to allow broadcasters to own up to 12 AM stations, 12 FM stations, and 12 television stations.[9]

Several other quotations from FCC proceedings dealing with its ownership rules provide FCC's philosophy and rationale in limiting multiple broadcast ownership. FCC stated that its multiple- ownership rules were premised on the principle that "a democratic society cannot function without the clash of divergent views" and that the "idea of diversity of viewpoints from antagonistic sources is at the heart of the Commission's licensing responsibility." Further, FCC stated that "ownership carries with it the power to select, to edit, and to choose the method, manner, and emphasis of presentation, all of which are a critical aspect of the Commission's concern with the public interest."

FCC maintains the ownership files, which are open and available if questions arise regarding broadcast ownership or changes in ownership. These files are also available to the public, including other broadcasters and their legal counsels. When broadcasters file ownership changes or applications for changes in the control of a station, FCC examines the files to document that changes in control have not occurred without FCC knowledge and approval.

FCC Form 325

FCC first imposed formal ownership information reporting requirements on cable television systems in 1966, when FCC declared it had jurisdiction to regulate these systems.[10] FCC believed that periodic filings by cable operators were necessary to enable it to keep abreast of developments, fulfill its regulatory responsibilities, and assist the Congress in its consideration of related legislative proposals.[11] No standard reporting form was adopted, but cable system operators, like broadcasters, were required to file the following information: (1) the names, addresses, and business interests of all officers, directors, and persons having substantial legal or beneficial ownership interests in each system; (2) the number of subscribers to each system; (3) the television stations carried

[9]FCC 84-350, 56 RR 2d 859 (1984).

[10]FCC 66-220, 6 RR 2d 1717 (1966).

[11]15 FCC 2d 417 (1968).

on each system; and (4) the extent of any existing or proposed programming by each system. Shortly after announcing these reporting requirements, FCC determined that a standard form setting forth the specific questions would make submission of the desired information easier. The original FCC Form 325 was used only in 1966. Subsequently, Form 325 was revised and divided into three sections: general information, cable service, and ownership information. FCC used this version of the form to collect ownership information from 1967 through 1973.

FCC suspended annual data collection for cable television systems in 1974 while reviewing its data collection methods. On the basis of the review, FCC resumed data collection in 1976, creating a cable television computer database and revising the format of the annual report form to make it compatible with the new database. The revised form was divided into two categories. The first category contained schedules 1 and 2, which requested information on a cable system's community units (defined as segments of a cable television system located within a separate and distinct community or a municipal entity serving 50 or more subscribers) and common local service units (defined as integral facilities furnishing identical services and capabilities to all subscribers). These schedules were filed in 1977 and are still being maintained and updated annually. The second category contained schedules 3 and 4, requesting operator ownership and control data. However, ownership and control data collection was suspended in 1977; FCC claimed lack of resources to maintain the database. Since 1977, the cable television ownership files for schedules 3 and 4 have not been updated. In 1985, FCC proposed to permanently eliminate or substantially simplify schedules 3 and 4, but it has not yet done so.[12]

FCC annually mails schedules 1 and 2 of Form 325 to each cable operator on the anniversary of the license approval. The operator is required to complete and return the form within 60 days of the mailing. To expedite the process and reduce the burden on the operators, information stored in FCC's computer database is preprinted on the form. Cable television operators are asked to update or correct the information already on file with FCC.

[12]Docket 84-1297 (1985).

FCC's Rationale for Major Changes in Financial Data and Ownership Reporting Requirements

In the late 1970s, FCC initiated a series of changes that led to some reductions in its financial and ownership reporting requirements for broadcasters and cable operators. FCC cited changed circumstances as well as a changing regulatory philosophy to justify its new policy. In particular, FCC found that the relatively new cable television industry and UHF television stations had developed to the extent that FCC no longer had to be concerned about their successfully competing with established television stations. Also, FCC decided it no longer had to be concerned with the potential economic harm to existing broadcasters from new competing broadcasters.

Financial Qualification Standards Lowered

In a series of decisions between 1978 and 1981, FCC lowered the financial qualification standards for new broadcast license applicants. FCC stated that this change would help open the broadcast industry to minority applicants and would encourage industry growth. However, in recent months, FCC has been concerned with applicants certifying their financial qualifications without basis or justification. Consequently, FCC is considering revisions to Form 301 that will partly reimpose certain financial information requirements.

Form 301 Revised

In July 1978, FCC announced a revised financial qualification standard for applicants for new radio broadcast stations and for those to whom "bare" (no construction completed) radio construction permits had been assigned or transferred.[1] The new standard would be the ability to construct the station and operate the facility for 3 months without relying on advertising or other revenue to meet these costs. FCC decided it was not necessary to maintain the 1-year qualification standard for radio because it found limited evidence that the failure rate of AM and FM radio stations had been substantially affected by the standard. FCC stated that "new radio stations' success or failure usually is determined by market forces and quality of management, rather than by the liquidity of the licensee." FCC considered this action to be one that would "provide a more reasonable financial qualification standard" and would "specifically benefit minority applicants seeking entry into radio broadcast service."

[1] FCC 78-556, 43 RR 2d 1101 (1978).

Less than 1 year later, in May 1979, FCC extended the modification of the financial qualification standard to new television stations.[2] FCC stated that the modified standard would help open the industry to minority applicants. FCC also stated that UHF television had progressed to a point where "many of the uncertainties that once characterized the viability of individual stations are no longer present."

Neither the 1978 nor the 1979 action, however, affected new owners of already existing broadcast stations. FCC took action for that group in June 1981, when, in a Public Notice, it modified the financial qualification for assignees and transferees of broadcast stations.[3] From that point on, applicants needed only to show sufficient capital to "consummate the transaction at the closing on sale" and meet expenses for 3 months. FCC wanted to bring this standard into line with the other standards for the reasons stated above. In this action, FCC also approved revisions to Form 301 to conform with these changes and incorporate the new requirements. FCC eliminated a requirement that partnership agreements and articles be submitted. FCC eliminated, in addition, requirements for documentation concerning bank loan commitments, other financing arrangements, security interests, itemization of projected expenditures, and sources of funds. Also eliminated were requirements for a balance sheet and a statement of yearly income. In short, the section of Form 301 dealing with financial qualifications was reduced to a simple certification that the applicant had the requisite resources to build a station and operate it for 3 months without revenues.

FCC Commissioner Joseph R. Fogarty issued a dissenting statement, which was included as part of the Public Notice. Fogarty observed that the Form 301 reporting requirement had "provided a basis for review of applicant compliance with the Commission's multiple and cross-ownership rules and Section 310 of the Communications Act limiting foreign ownership of broadcast facilities." Fogarty believed that FCC would have no "real" check on adherence to the rules and policies in this regard and claimed that when he had raised these issues and concerns, they were "swept aside" with the "conclusory [sic] observation" that "the staff can come up with an array of application form 'questions' designed to assure compliance in fact with our ownership restrictions and policies."

[2]FCC 79-299, 45 RR 2d 925 (1979).

[3]FCC 81-272, 49 RR 2d 1291 (1981).

Fogarty believed that FCC had "put the cart before the horse" by ordering the deletion of the requirement before exploring alternative safeguards.

FCC also issued further revisions to Form 301 later in June 1981 to "aid the applicant in preparing its application and facilitate the processing by the staff."[4] The revised Form 301 was shorter, called for less information, asked more "yes-no" questions where possible, and concentrated the instructions in a section that could be detached and retained by the applicant. In FCC's view, however, no changes were made to the form that affected substantive law or policy or any underlying requirement having to do with the ultimate issue of public interest. All commissioners concurred with this action.

Current Actions Relating to FCC Form 301

After more than 5 years of experience with the financial certification requirement, FCC noted that some broadcast permit applicants certified their financial qualifications without any basis or justification. FCC directed its staff in March 1987 to "institute procedures designed to detect and deter such abuses of the Commission's processes."[5] Specifically, the staff was directed to begin a routine program of random checks of financial qualifications of applicants for construction permits for new broadcast facilities. A number of questionnaires have been sent to applicants under this program.

Also, FCC is currently seeking comments on an informal proposal made by an ad hoc committee of the Federal Communications Bar Association (FCBA) to substantially revise Form 301.[6] The committee hopes that the proposal can help curb what it views as abuses in the comparative renewal process. The FCBA-proposed form would require additional information concerning such items as ownership structure and financial certification. The proposal also calls for limited reimposition of the previously revoked financial information requirement. The required information would include (1) the estimated cost of construction; (2) the estimated cost of 3 months of operation; and (3) the source—including name, address, and relationship to applicant—and amount of financing.

[4]FCC 81-278, 50 RR 2d 381 (1981).

[5]FCC 87-97, 62 RR 2d 638 (1987).

[6]Docket 88-328, June 20, 1988.

Annual Financial Reporting Requirements Eliminated

FCC policy changes regarding its role in overseeing the financial health of broadcasters and the broadcasting industry led ultimately in 1982 to the elimination of annual financial reporting on Form 324 by broadcasters. FCC also abolished Form 326, Annual Report of Cable Television Systems (Financial Unit Data), in 1983 for similar reasons.

FCC abolished the Carroll doctrine in 1987, further reducing its need for financial data about broadcasters. The Carroll doctrine held that FCC had to consider the economic impact on existing broadcasters before granting additional broadcasting licenses. FCC ceased to recognize the underlying premise of the Carroll doctrine, the theory of ruinous competition, as valid. In FCC's view, these policy changes removed any justification to continue collecting financial data.

Form 324 Reporting Requirement Reexamined

As discussed in appendix 2, FCC Form 324 was changed several times over the years since its creation in 1938. FCC's rationale for eliminating the form was shaped by events beginning in 1977, when FCC commissioned a study of Form 324 from T&E Inc., a Cambridge, Massachusetts, consulting firm.[7] The purpose of this study was to find ways to improve the quality of data being obtained. The T&E study reported that Form 324 data were unreliable, inconsistent, and ambiguous and that a number of revisions to the form were necessary. The T&E study suggested several improvements, including (1) requiring a balance sheet to be submitted with Form 324, (2) educating FCC staff in the use of Form 324 data, and (3) initiating an industry compliance program.

The study pointed out a number of advantages and disadvantages to having a balance sheet included in Form 324. One advantage was that the balance sheet, summarizing a broadcaster's financial condition, would assist FCC in determining forfeitures, penalties, renewals of licenses, or the need for granting special relief to stations. Balance sheets would also help FCC determine profitability impacts (in the cable television industry), station viability, fiduciary accountabilities, etc. However, there were a number of disadvantages. Many smaller firms that do not prepare balance sheets would not be able to provide FCC the required information. Moreover, subsidiary firms would have difficulty disaggregating the relevant financial data from the parent company's data. Also, balance sheets provided only part of the picture; a statement

[7] "A Study of Financial Reporting Requirements For Commercial Broadcast Stations," T&E Inc., October 1977.

of changes in financial position, changes in equity, and accounting footnotes would be necessary to show a broadcaster's complete financial picture.

The study concluded that improved financial information from the broadcasters would enable FCC to more effectively evaluate broadcasters' viability and profitability. Also, better definitions on the form would greatly improve accuracy and detail and thus would better serve FCC's analytic needs.

In April 1980, FCC issued a Notice of Proposed Rulemaking in docket 80-190 that contained a number of proposed revisions to Form 324 reflecting the results of the T&E study. The Notice also authorized a pretest of the proposed form among a sample of broadcasters.

The pretest revealed that the proposed revisions would not necessarily produce more valid and reliable data. Several of the stations responding to the pretest (101 stations responded out of 284 invited to respond) reported difficulty in completing the revised broadcast expense schedule because they were unable to determine the benchmark for separating local from nonlocal program expenses. Many respondents indicated that they would have to maintain another complete set of books to allocate expenses to programming categories as required by the form. The respondents also reported that the balance sheet posed problems in data estimation. They saw no benefit or value associated with the balance sheet and stated that the value of a station depended on factors such as market size and station position within the market. Other comments included the following: the proposed changes were time-consuming and costly; a great deal of guesswork would be involved in allocating expense items, resulting in questionable accuracy of data; and FCC should strive toward simplifying the financial reporting requirement rather than requiring more complex data.

After reviewing the pretest results, FCC issued a Further Notice of Proposed Rulemaking, which proposed either eliminating Form 324 or abbreviating it.[8] Also, subsequent to the original notice, FCC had implemented the new financial qualifications standards for Form 301 broadcast assignment and transfer applications (see the previous section), which eliminated a primary need for Form 324 data.[9]

[8]45 Federal Register 35370.

[9]FCC 81-272, 49 RR 2d 1291 (1981).

Economic Injury Pleadings Abolished

About the same time that it was reviewing the reliability of Form 324 financial information, FCC was deliberating the case of Knoxville Broadcasting Corporation,[10] which ultimately affected FCC's policy concerning the need for Form 324. In the case, South Central Broadcasting Corporation—a licensee of WTVK-TV, a UHF television station—asked FCC to review its February 1981 ruling granting a Freedom of Information Act request to Knoxville. Knoxville was seeking access to WTVK's annual Form 324 submissions for the years 1960 through 1979 so that it could respond to South Central's allegation that FCC's granting a VHF license to Knoxville in WTVK's area hurt South Central financially and economically. FCC denied Knoxville's request when South Central appealed, ruling that it would not allow the disclosure of financial records for cases in which licensees "adverted to" (made reference to) their financial conditions in pleadings before FCC.

The reasoning behind this ruling, according to FCC, led it to reexamine the need for Form 324 financial data. FCC stated in its decision that since discovery mechanisms were in place for provision of factual information in hearing proceedings,[11] the need for allowing public access to Form 324 financial records no longer existed. FCC held that from then on, the burden of providing support for allegations in pleadings relating to a licensee's financial condition would rest with the licensees and that without such support, the FCC could either disregard the contentions or, when appropriate, designate the matter for hearings. FCC also stated that a policy of not disclosing the data would advance FCC's goal of collecting data only for policy-making purposes and would support the strong congressional policy of protecting the confidentiality of financial information. With this case, FCC terminated its need for Form 324-originated financial information in the context of hearing proceedings.

Form 324 Abolished

On the basis of comments received on the Further Notice (which proposed to either eliminate or revise Form 324) and on the basis of the Knoxville case, FCC decided in March 1982 to eliminate the form.[12] FCC's rationale was that ". . . the quantity of data collected on a regular basis through the reporting process is unnecessary for the Commission's policy planning and analytical tasks. To the extent that financial data is

[10] Knoxville Broadcasting Corporation, FCC 81-433, 50 RR 2d 531 (1981).

[11] 47 C.F.R. section 1.311(a).

[12] FCC 82-127, 51 RR 2d 135 (1982).

necessary to the Commission's policy-making functions, moreover, better and less costly means of acquiring it are available."

In response to FCC's action, Media Access Project (MAP), a broadcast watchdog organization, filed a Petition for Reconsideration with FCC in April 1982, asking FCC to reappraise its decision to eliminate Form 324. MAP contended that the action was unfaithful to the Communications Act of 1934 and inconsistent with statements contained in the April 1980 Notice regarding FCC's stated reasons for collecting financial data. MAP also contended that the decision itself was not supported by the evidence. FCC issued a Reconsideration, responding that (1) the 1934 act did not specifically require the collection of financial data in the way MAP interpreted the law (section 4(k)1); (2) the pretest and subsequent comments on the proposed revision of Form 324 still were perceived as unsatisfactory and could not provide a cost-effective and reliable method for data-gathering; and (3) alternative means for collection of such data, if needed, were available.[13] In FCC's opinion, the elimination of annual financial data collection had no adverse consequences on the obligation to fulfill its public interest mandate. FCC determined that in the end, the utility of the financial information was far outweighed by the cost to collect it on a regular basis.

Form 326 Abolished

In 1982, FCC issued a Notice of Proposed Rulemaking in docket 82-258 to examine the continued need for annual financial reporting by cable television operators and requested comments on its proposal to eliminate the requirement. In the Notice, FCC also declared suspension of the annual collection of financial data effective after the 1981 filings of Form 326. In July 1983, FCC terminated the Notice, concluding that it had received no "evidence to suggest that regulatory acquisition of this financial information under the present rules has proven material in previous cable regulatory endeavors and very little evidence to suggest that continued acquisition of this information through an industry-wide requirement is necessary in the context of the present regulatory environment on regulation in the foreseeable future."[14]

In the ruling, FCC indicated that many of the considerations that led to the elimination of the annual financial reporting requirement for broadcasters—for example, the burdens these requirements placed on those

[13] FCC 82-474, 52 RR 2d 792 (1982).

[14] FCC 83-365, 54 RR 2d 799 (1983).

regulated—seemed to apply in this circumstance. FCC pointed out that if the need for information became important, special studies could be assembled to obtain the information.

All parties submitting comments to the proposed action supported FCC's recommendation, with the exception of the United Church of Christ and the Committee for Community Access, who issued joint comments. They stated that FCC Form 326 was a "... tool of growing, rather than diminishing importance to the present and future regulation of cable TV. Form 326 would provide a consistent, organized and long-range source of otherwise unavailable data to both federal and local governments as well as the public." However, FCC supported the position taken by the majority of those submitting comments, indicating that if additional data were needed, special studies could be conducted. Accordingly, the annual reporting requirement was deleted from FCC's rules,[15] and Form 326 was canceled.

Carroll Doctrine Abolished

The Carroll doctrine developed from a case involving an application for a construction permit for a new radio station.[16] An existing broadcaster, Carroll Broadcasting Company of Carrollton, Georgia, claimed economic injury from a competitor who had been granted a construction permit for a new radio station. FCC initially declined to hear the complaint but was forced to do so by the U.S. Court of Appeals.[17] The Court stated in its ruling that FCC had the authority to determine whether the economic effect of a new station in an area would be to damage or destroy existing service to an extent inconsistent with the public interest. FCC would be legally required to afford the existing station the opportunity to provide proof and, if the proof was substantial, to make a finding on the issue. Although Carroll's petition was denied because of insufficient proof of injury, FCC eventually established requirements for a successful claim of economic injury, which were later upheld by the Court of Appeals.[18]

FCC also developed a UHF impact policy that was independent of, but closely related to, the Carroll doctrine. FCC was concerned at the time with the viability of UHF television, a medium then still in its infancy, and was interested in promoting its development. The policy was first

[15]Section 76.403.

[16]Docket 11591, 23 FCC 255 (1957).

[17]Carroll Broadcasting Co. vs. FCC, 258 F. 2d 440 (D.C. Cir. 1958).

[18]WLVA vs. FCC, 459 F. 2d 1286 (D.C. Cir. 1972).

spelled out in 1960 in the case of Triangle Publications, Inc., in which FCC concluded that the possible injury to a UHF station constituted a sufficient reason for denying a VHF proposal.[19]

FCC decided to review the Carroll doctrine and the UHF impact policy in 1987 in docket 87-68. Comments submitted in the docket generally agreed with FCC's initial determination that the Carroll doctrine did not serve the public interest and should be eliminated. FCC reviewed a number of cases involving claims of injury under the Carroll doctrine and concluded that the claimants had been unable to demonstrate sufficient evidence to warrant a finding of harm that would result in a net loss of service to the public. FCC therefore concluded that the policy of considering allegations of "Carroll injury" had not yielded any public interest benefits.

FCC also concluded that the underlying premise of the Carroll doctrine—the theory of ruinous competition, which claims that increased competition can be destructive to the public interest—was not valid. FCC stated that the Carroll doctrine conflicted with its general policy of relying, whenever possible, on market forces rather than on government regulation to direct the programming activities of mass media industries. FCC moved to abolish the Carroll doctrine in November 1987.

In support of its position, FCC cited a 1983 GAO report.[20] In the report, we recommended that the Communications Act of 1934 be amended to require that FCC not accept petitions to deny licenses on the basis of allegations of economic injury to existing licensees or other allegations unrelated to technical interference issues. The report stated that "permitting petitions-to-deny to be filed for character or financial qualifications, coverage, or economic issues may no longer be necessary if competition can be relied upon to induce licensees to act in the public interest."

FCC also abolished the UHF impact policy in this proceeding. FCC concluded that the economic condition and environment of UHF service had improved dramatically since 1960 and that former disparities between UHF and VHF services had been largely eliminated.

[19]Triangle Publications, Inc., 29 FCC 315 (1960).

[20]FCC Can Further Improve Its Licensing Activities (GAO/RCED-83-90, Apr. 26, 1983).

Ownership Reporting Requirements Changed

FCC changed Form 323 ownership reporting requirements for broadcast licensees in 1984 by raising the ownership attribution benchmark from 1 to 5 percent. As a result, since then, station owners with interests greater than 1 percent but less than 5 percent have not been reported on Form 323.

FCC collects cable television ownership data on FCC Form 325, but in 1977, it suspended collection of specific information on ownership and control. In 1985, FCC proposed to permanently eliminate or substantially simplify the specific information requirement, but it has not yet done so.

Ownership Attribution Benchmark for Form 323 Raised

In 1984, FCC made a number of changes in its ownership reporting requirements for broadcast licensees.[21] The major change involved raising the 1-percent benchmark for ownership attribution to 5 percent. Other changes included raising the benchmark for "passive" investors attribution to 10 percent and eliminating the reporting distinction between "widely held" and "closely held" ownership interests.

To support its decision to make changes in the ownership attribution benchmark, FCC conducted a survey of its ownership files to determine the typical size and distribution of stockholdings among its licensees. FCC surveyed its records for both widely held (50 or more stockholders) and closely held (less than 50 stockholders) licensees. FCC was able to analyze the ownership records for 172 of approximately 200 widely held licensees. From a universe of about 5,500 closely held licensees, FCC selected a random sample of 375 ownership reports to analyze, believing that the sample would provide an accurate profile of overall stock ownership patterns.

The results of FCC's survey showed that in widely held companies, a 1-percent shareholder was, on average, 1 of more than 12 individual stockholders owning 1 percent or more of the shares. Thus, FCC concluded that a 1-percent stockholder was not likely to have much influence on broadcaster operations. Several other factors also contributed to FCC's conclusion that the existing 1-percent benchmark was unnecessarily low for accomplishing the objectives of FCC's multiple-ownership rules. FCC concluded that in the corporate world in general, the increasing dispersion of stock into smaller holdings and the increasing independence of corporate management meant that a significant amount of stock must reside with one entity to influence management activities.

[21] FCC 84-115, 55 RR 2d 1465 (1984); also, dockets 20521, 20548, BC 78-239, and MM 83-46.

In contrast, FCC's survey revealed that a 5-percent shareholder, on average, was one of the two or three largest shareholders. In only a few cases did FCC find more than three such shareholders, making such individuals, in FCC's view, preeminent shareholders with enough power to potentially affect broadcast decisions. FCC found less than one 10-percent shareholder per corporation, with about half of its licensees having no stockholder with an interest that large. FCC's overall conclusion from its survey was that a 5-percent attribution benchmark was likely to identify nearly all stockholders having a realistic potential for influencing or controlling the licensee.

Comments FCC received from interested parties proposed a wide range of attribution benchmarks, from 1 percent to 20 percent, with some implicitly supporting a 49.9 percent benchmark. Those proposing that FCC retain its existing 1-percent benchmark argued that no evidence had been presented to support any change. They stated that raising the benchmark would harm the advancement of minority broadcasting interests because of the increase in conglomerate ownership that such action would allow. Those supporting higher benchmarks, however, argued that the existing 1-percent benchmark was itself selected arbitrarily by FCC and that an upward adjustment was warranted given the changes in the investment market and the broadcasting industry since the 1-percent standard was established. They also argued that raising the benchmark would advance the public interest by increasing resources available to broadcasters, which would result in improved service.

On the basis of its survey, FCC concluded that the existing 1-percent attribution benchmark could be safely raised. In deciding what the new benchmark would be, FCC's objective was to "establish a new benchmark which avoids unnecessary and possibly costly regulatory intervention by minimizing the attribution of noninfluential interests, yet which also identifies with reliable accuracy those interests that convey to their holders a realistic potential to affect the programming decisions of licensees." FCC concluded that a 5-percent benchmark was the best choice.

In addition to relying on its own survey data to reach its decision, FCC said it also considered ownership benchmarks used in other regulatory frameworks. Specifically, FCC noted that the Securities and Exchange Commission used a 5-percent benchmark for public disclosure of stockholdings in large publicly traded corporations. FCC concluded that adopting a 5-percent benchmark would achieve demonstrable benefits without incurring the risks associated with setting a higher standard. FCC reasoned that a 5-percent benchmark would eliminate attribution for over 80 percent of all formerly attributable stock interests above the 1-percent level, while a 10-percent benchmark would relieve only an additional 10 percent from attribution but would also risk overlooking influential or controlling stockholders for many corporations.

ꟻCC's Reliance on Alternative Data Sources to Monitor the Broadcast and Cable Television Industry

Because of changes in FCC's broadcast policies, such as the abolition of the Carroll doctrine, FCC believes that its need and justification for data from the broadcast industry have decreased significantly. However, to meet its data requirements, FCC expects to depend on discovery, special studies, and private-sector data sources, such as the various publications issued by Paul Kagan and Associates and the television and radio industry reports issued by the National Association of Broadcasters.

Even when FCC was still requiring annual financial reports, it did not necessarily use the data to make policy decisions. For example, in 1979, FCC ruled that television stations bordering Canada were not experiencing substantial financial harm by losing viewers to Canadian television stations showing U.S. programs prior to their U.S. telecast.[1] FCC's conclusion was based on an analysis of commercially available ratings data, and the order did not mention FCC's own financial files.

FCC believes that industry surveys conducted on an as-needed basis can best serve its policy-making purposes and will impose less of a burden on broadcast firms than any kind of regularly recurring requirement. However, according to an FCC Mass Media Bureau official, FCC has not had occasion to conduct any industry surveys to collect financial data since the abolition of the Form 324 reporting requirement.

Access to Private Data Sources

FCC has also depended, as needed, on private sources for data on the broadcast and cable television industry. FCC's 1986 staff study on the status of AM radio, the AM Radio Improvement Report, is an example of how FCC relies on private-sector financial data. While the study drew data on financial trends and comparisons between AM and FM stations through 1980 from FCC's own files, data on recent trends came from the National Association of Broadcasters (NAB) annual radio financial reports. Likewise, data on prices paid for stations traded came from private sources, in particular Broadcasting magazine.

The following are some available information sources:

1. An annual survey of radio and television broadcasters conducted by NAB. According to NAB, this survey, conducted for over 30 years, collects data similar to the data on FCC Form 324, the abolished annual financial report for broadcasters. NAB publishes separate analyses of the data for each market with three stations or more (to ensure confidentiality). In

[1]FCC 79-780, 46 RR 2d 1301 (1979).

return for participation in the survey, broadcasters are provided with complimentary copies of the Television Financial Report or Radio Financial Report plus market analysis sheets for their respective markets.

2. The Kagan Cable TV Financial Databook, from Paul Kagan and Associates. The lead section of this fact book covers aggregate industry revenue statistics, 10-year cable television industry projections on a broad range of indicators—such as rates and subscribers, growth forecasts, past revenues, and projections of average monthly rates and revenues per subscriber. Other sections in the fact book cover the ranked performance of top individual cable television companies, stock trading in cable television companies, financial performance of multiple-system operators, cable television debt, capital flows, sales, and other indicators. According to Kagan, complete data were provided by 80 percent of the cable systems in the United States, others provided partial information, and the Kagan staff estimated the rest.

When FCC collected financial data on Form 324, it was mandatory for all broadcasters to comply. According to NAB, its financial survey experiences a 75-percent response rate from television broadcasters but only a 22-percent response rate from radio broadcasters. This low radio response rate has caused concern about the validity of the survey results; according to NAB, the radio respondents are generally larger stations in larger markets.

The NAB data survey questionnaire is similar to FCC Form 324 in that only revenues and expenses are collected and no balance sheet data are required. In 1987, the NAB reports began including additional data on cash flow (pretax profits, depreciation, amortization, and interest added together.)

According to NAB, its data are provided free upon request to FCC. FCC has cited NAB-generated data in its decisions. As noted previously, FCC relied on NAB data in its AM Radio Improvement Report.

3. Special studies, specifically surveys of basic cable television rate increases, conducted by Paul Kagan and Associates,[2] the National League of Cities (NLC),[3] and the National Cable Television Association

[2]Paul Kagan and Associates, Inc., Cable TV Investor, January 27, 1988, p. 4.

[3]National League of Cities, Impact of the Cable Act on Franchising Authorities and Consumers, September 18, 1987.

(NCTA).[4] The special Kagan study, released in January 1988, gathered data from 53 multiple-system cable operators regarding the rates charged on December 31, 1986, and September 30, 1987. In September 1987, NLC released the results of a survey of 233 cable regulators trying to find out how many of those surveyed raised their rates after December 30, 1986, the day after rate deregulation mandated by the Cable Communications Policy Act of 1984 went into effect. The NCTA study, released in November 1987, sent out questionnaires to over 2,500 cable operators seeking information on rate increases between December 1986 and June 1987. Nearly 600 responses were received.

Even though all three studies revealed some measure of rate increases, the U.S. Department of Commerce's National Telecommunications and Information Administration (NTIA), in its report titled Video Program Distribution and Cable Television: Current Policy Issues and Recommendations (NTIA report 88-233, June 1988), claimed that the studies contained several flaws that limited the strength of their findings. NTIA questioned whether the respondents in the NLC and NCTA studies were representative of the entire industry. It also questioned to what extent the NLC study identified the offset of rate increases by corresponding services, and it noted that the Kagan survey did not consider changes in the number of basic services provided. Finally, all three studies appeared to include regulated and unregulated systems. NTIA concluded that on the basis of the results, "it is not possible to determine whether changes in basic cable rates have caused any problems warranting Government intervention, and whether the costs of such action would be less than the welfare gains conferred."

[4] National Cable Television Association, Inc., Rate Deregulation: Cable Industry Pricing Changes and Service Expansion in a Deregulated Environment, November 1987.

FCC Form 301—Application for Construction Permit for Commercial Broadcast Station

United States of America
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Approved by OMB
3060-0027
Expires 2/28/89

APPLICATION FOR CONSTRUCTION PERMIT FOR COMMERCIAL BROADCAST STATION
(carefully read instructions before filing form)
Return only form to FCC

For Commission Use Only

File No.

Section I—GENERAL INFORMATION

1. Name of Applicant | Street Address or P.O. Box

City | State | ZIP Code | Telephone No. *(Include Area Code)*
( )

Send notices and communications to the following named person at the address below:

Name | Street Address or P.O. Box

City | State | ZIP Code | Telephone No. *(Include Area Code)*
( )

2. This application is for: ☐ AM ☐ FM ☐ TV

(a) Channel No. or Frequency:
(b) Principal Community: City State

(c) Check one of the following boxes:

☐ Application for NEW station

☐ MAJOR change in licensed facilities; call sign: ....

☐ MINOR change in licensed facilities; call sign: ....

☐ MAJOR modification of construction permit; call sign: ....

File No. of Construction Permit:

☐ MINOR modification of construction permit; call sign: ....

File No. of Construction Permit:

☐ AMENDMENT to pending application; Application file number: ....

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application? ☐ Yes ☐ No

If Yes, state: Call letters: Community of License: City State

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October 1986

Section II – LEGAL QUALIFICATIONS

Name of Applicant

1. Applicant is: (*check one block below*)

☐ Individual ☐ General partnership ☐ For-profit corporation

☐ Other ☐ Limited partnership ☐ Not-for-profit corporation

Exhibit No.

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the application.

NOTE: The terms "applicant" and "parties to this application" are defined in the Instructions for Section II of this form. Complete information as to each "party to this application" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. Complete, if applicable, the following certifications:

(a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station. ☐ Yes ☐ No

If No, applicant must complete Question 4 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (*as defined by 15 U.S.C. Section 80 a-3*), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant? ☐ Yes ☐ No

If Yes, applicant certifies that the entity holding such interest exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant. ☐ Yes ☐ No

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Section II – Page 2 **LEGAL QUALIFICATIONS**

4. List the applicant and, if other than a natural person, its officers, directors, stockholders and partners with attributable interests. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully – The numbered items below refer to line numbers in the following table.)

1. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.
2. Citizenship.
3. Office or directorship held.
4. Number of shares or nature of partnership interests.
5. Number of votes.
6. Percentage of votes.
7. Other existing attributable media interests subject to the multiple ownership restrictions of Sections 73.3555 and 76.501 of the Commission's Rules, including the nature and size of such interests.
8. All other ownership interests of 5% or more, whether or not attributable, as well as any corporate officership or directorship in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in Sections 73.3555 and 76.501 of the Commission's Rules, including the nature and size of such interests and the positions held.

1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			

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October 1986

Section II–Page 3 LEGAL QUALIFICATIONS

5. Does the applicant or any party to this application have, or have they had, any interest in:

(a) a broadcast application pending before the Commission? ☐ Yes ☐ No

(b) a broadcast application which has been dismissed with prejudice by the Commission? ☐ Yes ☐ No

(c) a broadcast application which has been denied by the Commission? ☐ Yes ☐ No

(d) a broadcast station, the license of which has been revoked? ☐ Yes ☐ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant? ☐ Yes ☐ No

Exhibit No.

If the answer to any of the questions in (a)–(e) above is Yes, state in an Exhibit the following information:

(1) Name of party having interest;
(2) Nature of interest or connection, giving dates;
(3) Call letters of stations or file number of application or docket; and
(4) Location.

6. (a) Are any of the parties to this application related (as *husband, wife, father, mother, brother, sister, son or daughter*) either to each other or to individuals holding nonattributable interests of 5% or more in the applicant? ☐ Yes ☐ No

(b) Does any member of the immediate family (*i.e., husband, wife, father, mother, brother, sister, son or daughter*) of any party to this application have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (*see Section 73.3555(c)*) or, in the case of a television station applicant only, a cable television system in the same area (*see Section 76.501(a)*)? ☐ Yes ☐ No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station. Exhibit No.

7. State in an Exhibit, any interest the applicant or any party to this application proposes to divest in the event of a grant of this application. Exhibit No.

OTHER MASS MEDIA INTERESTS

8. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (*See Instruction B to Section II.*) ☐ Yes ☐ No

(b) Does any member of the immediate family (*i.e., husband, wife, father, mother, brother, sister, son or daughter*) of an individual holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (*see Section 73.3555 (c)*) or, in the case of a television station applicant only, a cable television system in the same area (*see Section 76.501(a)*)? ☐ Yes ☐ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station. Exhibit No.

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Section II – Page 4 **LEGAL QUALIFICATIONS**

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

9. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (*See Instruction C to Section II.*) ☐ Yes ☐ No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents? ☐ Yes ☐ No

Exhibit No.

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

10. (a) Has an adverse finding been made or an adverse final action taken by any court or administrative body as to the applicant or any party to this application in a civil or criminal proceeding brought under the provisions of any law related to the following:

Any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination? ☐ Yes ☐ No

(b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above? ☐ Yes ☐ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving full disclosure concerning persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.

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Section III — **FINANCIAL QUALIFICATIONS**

NOTE: If this application is for a change in an operating facility do not fill out this section.

The applicant certifies that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without revenue. ☐ Yes ☐ No

Section IV — **PROGRAM SERVICE STATEMENT**

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No. ☐

Not Attached: Section V (Broadcast Engineering Data)
Section VI (Equal Employment Opportunity Program)
Section VII (Certification)

FCC 301 - Page 6
October 1988

FCC Form 324—Annual Financial Report of Networks and Licensees of Broadcast Stations

NOT ROUTINELY AVAILABLE FOR PUBLIC INSPECTION

Approved by OMB 3060-0001 Expires 9-30-83

1981

ANNUAL FINANCIAL REPORT OF NETWORKS AND LICENSEES OF BROADCAST STATIONS

Mail one copy to the Federal Communications Commission, Policy Analysis Branch, Broadcast Bureau Washington, D. C. 20554

BEFORE FILLING OUT THIS REPORT, SEE INSTRUCTIONS

1. ______ (NAME OF RESPONDENT)
2. ______ (STREET ADDRESS OR P.O. BOX NUMBER) (CITY) (STATE) (ZIP CODE)
3. Indicate the station(s) for which this report is submitted:

Current Call Letters ______

(OTHER CALL LETTERS OF STATION DURING REPORTING YEAR, IF ANY ______)

Location: ______ (CITY)

______ (COUNTY)

______ (STATE)

DO NOT REMOVE THE MAILING LABEL AFFIXED BELOW

RETURN COPY WITH MAILING LABEL TO THE FCC. RETAIN THIS COPY FOR YOUR FILES.

4. **Type of station reporting:** (CHECK ONE)

TV ☐ TV
TV ☐ TV Satellite
TV ☐ Combined TV and Satellite
AM ☐ AM
AF ☐ Combined AM and FM
FA ☐ FM affiliated with AM in same area
FM ☐ FM unaffiliated with AM in same area
☐ International

5. If this report does not cover the full **calendar** year, indicate the period covered: From: ______ To: ______

6. **Network affiliation(s) of station:** (PRIMARY FIRST) *(ABC, CBS, NBC, or MBS, only)* OR CHECK IF NOT AFFILIATED ☐ (NO) ______ *(Network - Initials only)*

7. Licensee also owns the following stations for which separate reports are filed:

Call Letters	Type of Station*	Call Letters	Type of Station*

**Indicate the type of station (See item 4 above)*

Do not write below this line:

1. F P N C ☐☐☐☐	2. A B ☐☐	3.	4. O D S P R G ☐☐☐☐☐☐
5.	6.	7.	8.

(All previous editions of this form are canceled.)

FCC 324 October 1981

1981 CALL LETTERS ....

SCHEDULE 1. BROADCAST REVENUES

LINE NO.	CLASS OF BROADCAST REVENUES (a)	MAKE ENTRIES IN THIS COLUMN FIRST (omit cents) (b)	USE THIS COLUMN FOR YOUR TOTALING ONLY (omit cents) (c)
		$	$
1	A. REVENUES FROM THE SALE OF STATION TIME:		
2	(1) Network		
3	Sale of station time to networks:		
4	Sale of station time to major networks, ABC, CBS, MBS, NBC (before line or service charges)		
5	Sale of station time to other networks (before line or service charges)		
6	Total (lines 4 + 5)	. . . .	
7	(2) Non-network (after trade and special discounts but before cash discounts to advertisers and sponsors, and before commissions to agencies, representatives and brokers).		
8	Sale of station time to national and regional advertisers or sponsors		
9	Sale of station time to local advertisers or sponsors		
10	Total (lines 8 + 9)	. . . .	
11	Total sale of station time (lines 6 + 10)	. . . .	
12	B. BROADCAST REVENUES OTHER THAN FROM SALE OF STATION TIME (after deduction for trade discounts but before cash discounts and before commissions):		
	(1) Revenues from separate charges made for programs, materials, facilities, and services supplied to advertisers or sponsors in connection with sale of station time:		
13	(a) to national and regional advertisers or sponsors . . (49-54) . .		
14	(b) to local advertisers or sponsors		
15	(2) Other broadcast revenues		
16	Total broadcast revenues, other than from time sales (lines 13 + 14 + 15)	. . . .	
17	C. TOTAL BROADCAST REVENUES (lines 11 + 16)	. . . .	
18	(1) Less commissions to agencies, representatives, and brokers (but not to staff salesmen or employees) and less cash discounts		
19	D. NET BROADCAST REVENUES (lines 17 minus line 18)	. . . .	
20	**Report here the total value of trade outs and barter transactions. This value must also be included as sales in the appropriate lines above . .**		
21	If this is a report for a Joint AM-FM operation, indicate in lines 22, 23, 24 below the amounts, if any, of total broadcast revenues shown in the totals in line 19 above, which are applicable to the FM station ALONE.		
22	FM revenues from sale of station time (after discounts, commissions, etc.)		
23	FM revenues from providing functional music or other special services		
24	Other FM revenues		
25	Total (lines 22 + 23 + 24)	. . . .	

FCC 324 (Page 2)
October 1981

1981 CALL LETTERS ....

SCHEDULE 2. BROADCAST EXPENSES

LINE NO.	CLASS OF BROADCAST EXPENSES (a)	MAKE ENTRIES IN THIS COLUMN FIRST (omit cents) (b)	USE THIS COLUMN FOR YOUR TOTALING ONLY (omit cents) (c)
1	TECHNICAL EXPENSES:	$	$
2	Technical payroll*		
3	All other technical expenses		
4	Total technical expenses		
5	PROGRAM EXPENSES:		
6	Payroll* for employees considered "talent"		
7	Payroll* for all other program employees		
8	Rental and amortization of film and tape		
9	Records and transcriptions		
10	Cost of outside news services		
11	Payments to talent other than reported in line (6)		
12	Music license fees		
13	Other performance and program rights		
14	All other program expenses		
15	Total program expenses		
16	SELLING EXPENSES:		
17	Selling payroll*		
18	All other selling expenses		
19	Total selling expenses		
20	GENERAL AND ADMINISTRATIVE EXPENSES:		
21	General and administrative payroll*		
22	Depreciation and amortization		
22a	Interest		
22b	Allocated costs of management from home office or affiliate(s)		
23	Other general and administrative expenses		
24	Total general and administrative expenses		
25	TOTAL BROADCAST EXPENSES (lines 4 + 15 + 19 + 24)		

**Payroll includes salaries, wages, bonuses and commissions.*

SCHEDULE 3. BROADCAST INCOME

LINE NO.		AMOUNT (omit cents)
1	Broadcast revenues (from Schedule 1, line 19)	$
2	Broadcast expenses (from Schedule 2, line 25)	
3	Broadcast operating income or (loss) (line 1 minus line 2)	
4	Show here the total of any amounts included in line 2 above which represent payments (salaries, commissions, management fees, rents, etc.) for services or materials supplied by the owners or stockholders, or any close relative of such persons or any affiliated company under common control (see page 3 of instructions).	
5	NOTE: If No such payments were made, check here ☐	

FCC 324 (Page 3)
October 1981

1981 CALL LETTERS ....

SCHEDULE 4. EMPLOYMENT

LINE NO.	
1	Indicate the number of employees in the workweek in which December 31 falls:
2	Full-Time ________ (17-24) Part-Time ________ (25-32) Total ________
	(Do not count as "part-time" those employees who worked a full week but whose duties were divided between two or more stations of the license. Allocate those employees between the stations in accordance with instructions for Schedule 4 (pg. 4)).

SCHEDULE 5. TANGIBLE PROPERTY OWNED AND DEVOTED EXCLUSIVELY TO BROADCAST SERVICE BY THE RESPONDENT

LINE NO.	ITEM (a)	As of December 31 Total Cost (omit cents) (b)	Balance in accrued depreciation account (omit cents) (c)	Cost after depreciation (Col. (b) minus (c)) (omit cents) (d)
1	Land and land improvements and buildings			
2	Tower and antenna system			
3	Transmitter equipment			
4	All other property			
5	Total, all property (lines 1-4)	(41-48)	(49-56)	(57-64)

Person in charge of correspondence regarding this report:

NAME ________ OFFICIAL TITLE ________

ADDRESS (Include ZIP Code) ________

TELEPHONE NUMBER (Include Area Code) ________

CERTIFICATION

(This report must be certified by licensee or permittee, if an individual; by partner of licensee or permittee, if a partnership; by an officer of licensee or permittee, if a corporation or association; or by attorney of licensee or permittee in case of physical disability of licensee or permittee or his absence from the Continental United States.)

I certify that to the best of my knowledge, information, and belief, all statements contained in this report are true and correct.*

Signed .... Date ....

Title ....

* *Any person who willfully makes false statements on this form can be punished by fine or imprisonment. U. S. Code, Title 18, Section 1001.*

FCC 324 (Page 4)
October 1981

FCC Form 326—Annual Report of Cable Television Systems (Financial Unit Data)

FEDERAL COMMUNICATIONS COMMISSION

Washington DC 20554

FINANCIAL UNIT IDENT:

DO NOT ALTER THIS AREA

OPERATOR

•FORMS CHECK•

ANNUAL REPORT OF CABLE TELEVISION SYSTEMS

FINANCIAL UNIT DATA

FCC FORM 326, SCHEDULE 1

This is Schedule 1 of YOUR FCC FORM 326. It must be completed and/or corrected and returned to the Commission with Schedules 2 through 5. If the communities listed do not reflect your present consolidation, add or delete as necessary. If the pay cable fee is a "per program", rather than a "per month" charge, attach a rate schedule. Include cents with all fee data.

PREVIOUSLY FILED:

SYSTEM COMMUNITIES COMPRISING THIS FINANCIAL UNIT

IDENT	NAME	TYPE	OPERATIONAL STATUS	INSTALLATION FEE	SUBSCRIBER FEE	MONTHLY PAY CABLE FEE

Approved by GAO
B-180227 (RC0205)
Expires 7-31-81

SCHEDULE 2 **CABLE TELEVISION REVENUES AND EXPENSES**

FOR PERIOD BEGINNING: 19 ___ mo ___ dy ___ ENDING: 19 ___ mo ___ dy ___

Line No.	ITEM	AMOUNT (OMIT CENTS)
	OPERATING REVENUES	
1	Installation Revenue	
2	Regular Subscriber Revenue	
3	Per Program or Per Channel Gross Revenue *(Pay Television)*	
4	Advertising Revenue	
5	Special Service Revenue	
6	Other Revenue	
7	TOTAL OPERATING REVENUES	
	OPERATING EXPENSES SERVICE EXPENSES:	
8	Salaries, Wages, and Employee Benefits	
9	Pole Rentals	
10	Duct Rentals	
11	Private Microwave Service (CARS)	
12	Common Carrier Microwave Service	
13	Total Tariff (Leaseback) Charges *(Applies only to Systems receiving telephone company channel service.)*	
14	All Other Service Expenses	
15	PAYMENTS TO PAY CABLE PROGRAM SUPPLIES	
	ORIGINATION EXPENSES:	
16	Salaries, Wages, and Employee Benefits	
17	All Other Origination Expenses	
	SELLING, GENERAL, AND ADMINISTRATIVE EXPENSES:	
18	Salaries, Wages, and Employee Benefits	
19	Franchise Fees	
20	Copyright Fees	
21	All Other Selling, General, and Administrative Expenses	
22	TOTAL OPERATING EXPENSE	
23	TOTAL OPERATING INCOME	
	DEPRECIATION AND AMORTIZATION	
24	Depreciation	
25	Amortization	
	OTHER INCOME AND EXPENSES OTHER INCOME	
26	Total Other Income	
	OTHER EXPENSES:	
27	Interest	
28	Miscellaneous	
29	TOTAL OTHER INCOME (OR LOSS)	
30	EXTRAORDINARY ITEMS	
31	TOTAL INCOME (OR LOSS) BEFORE TAXES	
	TOTAL ASSETS:	
32	To be entered only for those systems (fewer than 1,000 subscribers) exempted from filing Schedule 3.	

FCC Form 326, Page 2
August 1978

SCHEDULE 3 — BALANCE SHEET INFORMATION

Line No.	ITEM	AMOUNT (OMIT CENTS)
	ASSETS	
	CURRENT ASSETS:	
1	Cash	
2	Accounts Receivable	
3	Other Current Assets	
4	Total Current Assets	
	FIXED ASSETS:	
5	Land and Buildings	
6	Headend	
7	Trunk and Distribution System	
8	Subscriber Devices	
9	Program Origination Equipment	
10	Construction Work in Progress	
11	Other Fixed Assets	
12	Plant Adjustment	
13	Less: Accumulated Depreciation	
14	Total Fixed Assets	
	OTHER ASSETS:	
15	Other Assets	
16	Less: Accumulated Amortization	
17	Total Other Assets	
18	TOTAL ASSETS	
	LIABILITIES	
	CURRENT LIABILITIES:	
19	Loans Payable	
20	Accounts Payable	
21	Other Current Liabilities	
22	Total Current Liabilities	
	DEFERRED CREDITS:	
23	Total Deferred Credits	
	LONG TERM DEBT:	
24	Total Long Term Debt	
	OWNER'S EQUITY:	
25	Total Stock Issued	
26	Proprietor's Equity	
27	Retained Earnings	
28	Other Owner's Equity	
29	Total Owner's Equity	
30	TOTAL LIABILITY AND OWNER'S EQUITY	
31	CHECK METHOD OF DEPRECIATION USED __ (1) Straight Line __ (3) Double Declining Balance __ (5) Other __ (2) Declining Balance __ (4) Sum-of-the-Years-Digits	

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August 1978

SCHEDULE 4 — SUPPLEMENTAL ACCOUNTING INFORMATION

PART A	AMORTIZATION TERM (IN YEARS)	AMORTIZATION METHOD USED (CODE)	AMOUNT CAPITALIZED DURING YEAR	AMOUNT AMORTIZED DURING YEAR
1. Deferred System Development Costs			$	$
2. Franchise Costs *(recorded as assets)*			$	$
3. Goodwill			$	$

CODES (1) Straight line (2) Declining balance (3) Double declining balance (4) Sum-of-the-years digits (5) Other

PART B	TOTAL CAPITALIZED	AMOUNT CAPITALIZED DURING YEAR	USEFUL LIFE (YEARS)
4. Capitalized Interest on System Construction	$	$	

PART C	TOTAL AMOUNT OF ASSET	AMOUNT NOT BEING AMORTIZED	AMOUNT BEING AMORTIZED
5. Deferred System Development Costs	$	$	$
6. Franchise Costs *(recorded as assets)*	$	$	$
7. Goodwill	$	$	$

PART D	TOTAL AMOUNT OF ALLOCATED COSTS	METHOD USE TO ALLOCATE COSTS TO SYSTEM (CODE)
8. Overhead Costs Allocated to System	$	

CODES (1) Per number of subscribers (2) Per gross revenues (3) Per miles of plant (4) Other

PART E	AMOUNT
9. Original Cost of Fixed Assets *(Seller's Book Value)*	$
10. Portion of Purchase Price Allocated to Seller's Book Value	$
11. Recorded Cost of Fixed Assets by Purchaser	$

PART F	FIXED ASSET CLASSIFICATION	AMOUNT	USEFUL LIFE (YEARS)	FIXED ASSET CLASSIFICATION	AMOUNT	USEFUL LIFE (YEARS)
12. Estimated Useful Lives of Fixed Assets		$			$	
		$			$	
		$			$	
		$			$	

PART G	AMOUNT	NUMBER OF PERSONS
13. Salaries to Owners	$	

	TOTAL AMOUNT	TYPE
14. Other Direct Payment Included in Total	$	

	TOTAL AMOUNT	TYPE
15. Expense Payments to Spouse or Relatives	$	

TYPE (1) Rent (2) Payments for services (3) Payment for equipment (4) Payments for supplies (5) Travel & Entertainment (6) Other

SCHEDULE 5 — EMPLOYMENT

Indicate the number of employees for the workweek in which the last day of the Fiscal Year fell.	NUMBER OF EMPLOYEES	
	FULL TIME	
	PART TIME	

FCC Form 326, Page 4
August 1978

CERTIFICATION

THIS REPORT MUST BE CERTIFIED BY THE INDIVIDUAL OWNING THE REPORTING CABLE TELEVISION SYSTEM, IF INDIVIDUALLY OWNED; BY A PARTNER, IF A PARTNERSHIP; BY AN OFFICER OF THE CORPORATION, IF A CORPORATION; OR BY A REPRESENTATIVE HOLDING POWER OF ATTORNEY IN CASE OF PHYSICAL DISABILITY OF AN INDIVIDUAL OWNER OR HIS/HER ABSENCE FROM THE UNITED STATES.

I CERTIFY THAT I HAVE EXAMINED THIS REPORT, AND THAT ALL STATEMENTS OF FACT CONTAINED THEREIN ARE TRUE, COMPLETE, AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, AND ARE MADE IN GOOD FAITH.

SIGNATURE		TITLE	
PRINTED NAME OF PERSON SIGNING			DATE
LEGAL NAME OF RESPONDENT			
RESPONDENT'S ADDRESS	STREET ADDRESS		
	CITY	STATE	DATE

FCC Form 326, Page 5
August 1978

FCC Form 323—Ownership Report

Approved by OMB
3060 0010
Expires 04 30 89

United States of America
Federal Communications Commission
Washington, D.C. 20554

Ownership Report

NOTE: Before filling out this form, read attached instructions

Section 310(d) of the Communications Act of 1934 requires that consent of the Commission must be obtained prior to the assignment or transfer of control of a station license or construction permit. This form may **not** be used to report or request an assignment of license/permit or transfer of control (except to report an assignment of license/permit or transfer of control made pursuant to prior Commission consent).

1 All of the information furnished in this Report is accurate as of

________________, 19 ____

(Date must comply with Section 73.3615(a), i.e., information must be current within 60 days of the filing of this report, when 1(a) below is checked.)

This report is filed pursuant to Instruction *(check one)*

1 (a) ☐ Annual 1 (b) ☐ Transfer of Control, Assignment of License or Construction Permit

for the following stations:

Call Letters	Location	Class of service

2 Give the name of any corporation or other entity for whom a separate Report is filed due to its interest in the subject licensee *(See Instruction 3)*:

3 Show the attributable interests in any other broadcast station of the respondent. Also, show any interest of the respondent, whether or not attributable, which is 5% or more of the ownership of any other broadcast station or any newspaper or CATV entity in the same market or with overlapping signals in the same broadcast service, as described in Sections 73.3555 and 76.501 of the Commission's Rules.

CERTIFICATION

I certify that I am ________________________
(Official title, see Instruction 1)

of ________________________
(Exact legal title or name of respondent)

that I have examined this Report, that to the best of my knowledge and belief, all statements in the Report are true, correct and complete.

(Date of certification must be within 60 days of the date shown in Item 1 and in no event prior to Item 1 date):

________________ ________________, 19 ____
(Signature) *(Date)*

Telephone No. of respondent *(include area code)*:

Any person who willfully makes false statements on this report can be punished by fine or imprisonment. U.S. Code, Title 18, Section 1001.

Name and Post Office Address of respondent:

4 Name of entity, if other than licensee or permittee, for which report is filed *(see Instruction 3)*:

5. Respondent is:

☐ Sole Proprietorship

☐ For profit corporation

☐ Not-for-profit corporation

☐ General Partnership

☐ Limited Partnership

☐ Other ________________

If a limited partnership, is certification statement included as in Instruction 4?

☐ Yes ☐ No

FCC 323
December 1986

6. List all contracts and other instructions required to be filed by Section 73.3613 of the Commission's Rules and Regulations. (Only licensees, permittees, or a reporting entity with a majority interest in or that otherwise exercises de facto control over the subject licensee or permittee shall respond.)

Description of contract or instrument	Name of person or organization with whom contract is made	Date of Execution	Date of Expiration

7. Capitalization (Only licensees, permittees, or a reporting entity with a majority interest in or that otherwise exercises de facto control over the subject licensee or permittee shall respond.)

Class of Stock (preferred, common or other)	Voting or Non-voting	Number of Shares			
		Authorized	Issued and Outstanding	Treasury	Unissued

Remarks concerning family relationships, attribution exemptions and certifications: (*See Instructions 4, 5 and 6*)

FCC 323-Page 2
December 1986

8. List officers, directors, cognizable stockholders and partners. Use one column for each individual or entity. Attach additional pages, if necessary. See Instructions 4, 5, and 6.

Line (Read carefully - The numbered items below refer to line numbers in the following table.)

1. Name and residence of officer, director, cognizable stockholder or partner (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List officers first, then directors and, thereafter, remaining stockholders and partners.
2. Citizenship.
3. Office or directorship held.
4. Number of shares or nature of partnership interest.
5. Number of votes.
6. Percentage of votes.
7. Other existing attributable media interests subject to the multiple ownership restrictions of Sections 73.3555 and 76.501 of the Commission's Rules, including nature and size of such interest.
8. All other ownership interests of 5% or more, whether or not attributable, as well as any corporate officership or directorship in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in Sections 73.3555 and 76.501 of the Commission's Rules, including the nature and size of such interests and the position held.

	(a)	(b)	(c)
1			
2			
3			
4			
5			
6			
7			
8			

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this Report is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to assess compliance with the Commission's multiple ownership restrictions. The staff, consisting variously of attorneys and examiners, will use the information to determine such compliance. If all the information requested is not provided, processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to retain your authorization.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

FCC 323-Page 3
December 1986

FCC Form 325—Annual Report of Cable Television Systems (Including Schedules 3 and 4)

FCC FORM 325
DECEMBER 1976

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

Approved by GAO
B-180227 (R0368)
Expires 5-31-79

ANNUAL REPORT OF CABLE TELEVISION SYSTEMS

SCHEDULE 1 COMMUNITY UNIT *(File one Schedule 1 for each community reported)*

NOTE: DO NOT USE THIS FORM TO FILE INFORMATION PREVIOUSLY FILED DURING 1975

1 FCC UNIT CODE
2 COMMUNITY NAME
3 COMMUNITY TYPE CODE *(See instructions)* Enter Code ▶

4 COMMUNITY COUNTY
5 ST

6 LEGAL NAME OF OPERATOR (IF PERSON LIST LAST NAME FIRST)

USE TO CONTINUE BLOCK 6 IF NEEDED

7 ASSUMED NAME USED FOR DOING BUSINESS IN COMMUNITY (IF USED)

8 MAILING STREET ADDRESS OR P.O. BOX

9 CITY
10 ST
11 ZIP

Indicate Internal Revenue Service Employer Identification (E.I.) Number used by above operator for community unit reported. If operator is person with no E.I. number, use Social Security number. ▶ 12 E.I. NO (OR SOC. SEC.)

For the community unit reported, indicate the following statistics as of Dec. 31, 197 . *(Note Convert strand length from miles to kilometers.)*

13 TOTAL SUBCRS.
14 STRD MLS x 1.6 = STRD. KMS.

15 NO. HOMES PSD
16 POPULATION

E. Service was furnished to the community beginning ▶ 17 MO. YR.

CERTIFICATION

This report must be certified by the individual owning the reporting system, if individually owned; by a partner, if a partnership; by an officer of the corporation, if a corporation; or by a representative holding power of attorney in case of physical disability of an individual owner or his absence from the United States

I certify that I have examined this report, and that all statements of fact contained therein are true, complete, and correct to the best of my knowledge, information, and belief, and are made in good faith.

SIGNATURE	TITLE
PRINTED NAME OF PERSON SIGNING	DATE SIGNED

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE OR IMPRISONMENT U.S. CODE, TITLE 18 SECTION 1001

FCC FORM 325
DECEMBER 1975

ANNUAL REPORT OF CABLE TELEVISION SYSTEMS

SCHEDULE 2

SCHEDULE 2. COMMON LOCAL SERVICE UNIT *(File one Schedule 2 for each common local service unit reported)*

1 LEGAL NAME OF OPERATOR (IF PERSON LIST LAST NAME FIRST)

(USE TO CONTINUE BLOCK 1 IF NEEDED)

2 E.I. No. (or Soc. Sec. No.)

▶ Indicate the following information regarding this common service unit *(Broadband Distribution System)*

3 List below the Code of each community unit served.

4 List below Broadcast Signals carried *(Except all FM Band)*

STATION CALL SIGN	TYPE 1-TV 2-FM 3-AM 4-OTHER	TV ONLY: Channel as Broadcast	TV ONLY: Channel on Cable	If Shared Enter X	RCVD: 1-Off Air 2-Pvt MW 3-ComCar 4-Dir Con
–					
–					
–					
–					
–					
–					
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–					
–					
–					
–					
–					
–					
–					
–					

STATION CALL SIGN	TYPE 1-TV 2-FM 3-AM 4-OTHER	TV ONLY: Channel as Broadcast	TV ONLY: Channel on Cable	If Shared Enter X	RCVD: 1-Off Air 2-Pvt MW 3-ComCar 4-Dir Con
–					
–					
–					
–					
–					
–					
–					
–					
–					
–					
–					
–					
–					
–					
–					

5 IF ALL FM BAND CARRIED, ENTER X ▶

NON-BROADCAST SIGNALS CARRIED FOR THE WEEK OF SEPTEMBER ______ THRU SEPTEMBER ______ 1975.

6. Complete the following information for the above week.

TYPES OF AUTOMATED PROGRAMS	HOURS PER WEEK	Channel on Cable	IF SHRD ENTR X
TIME & WEATHER			
NEWS DISPLAY			
SPORTS DISPLAY			
STOCK MARKET DISPLAY			
OTHER (SPECIFY)			

7.

TYPES OF NON-AUTOMATED PROGRAMS	HOURS PER WEEK	Channel on Cable	IF SHRD ENTR X
PUBLIC AFFAIRS			
NEWS			
SPORTS			
RELIGIOUS			
INSTRUCTIONAL			
ENTERTAINMENT			
OTHER (SPECIFY)			

	FOR THE ABOVE WEEK IN SEPT. 1975, INDICATE:	AUTO-MATED	NON AUTO MATED
8	NUMBER OF PUBLIC SERVICE ANNOUNCEMENTS		
9	HOURS OF ADVERTISING IF ORIGINATED		

10 IF CHANNEL LESSEES CAN ADVERTISE, ENTER X ▷

11

NUMBER OF CLIENTS	LOCAL	REGN'L	NAT'L

12 FOR EACH TYPE OF DATA SERVICE FURNISHED, ENTER X

BURGLAR ALARM		PREFERENCE POLL	
FIRE ALARM		UTILITY METER	
FACSIMILE		OTHER (SPECIFY) ______	

13 FOR CHANNEL INFORMATION, ENTER NUMBER

Total Cap.	Total Used	Gov't Access	Educ. Access	Public Access	Leased

Specify below the person who has completed Schedule 2

SIGNATURE	TITLE
PRINTED NAME OF PERSON SIGNING	DATE SIGNED

FCC FORM 325
DECEMBER 1976

ANNUAL REPORT OF CABLE TELEVISION SYSTEMS

SCHEDULE 3

NOTE: DO NOT USE THIS FORM TO FILE INFORMATION PREVIOUSLY FILED

SCHEDULE 3. OWNERSHIP STRUCTURE. (File one Schedule 3 for each business entity in the cable operator business structure subject to limitations as indicated.)

1 LEGAL NAME OF ENTITY (IF PERSON, LIST LAST NAME FIRST)

USE TO CONTINUE BLOCK 1 IF NEEDED

2 E.I. NO (OR SOC. SEC. NO.)

IN ITEMS 3-7, indicate the following information for the business entity stated in Block 1

3 ENTER CODE TO INDICATE TYPE: OF ENTITY — 1-Individual Person; 2-Partnership; 3-Corporation; 4-Association; 5-Government entity.

4 List below the E.I. No. of any business entity which owns 25% or more of it.

5 List below the E.I. No. of any business entity of which it owns 25% or more of the stock.

6 If a corporation, indicate stock information below.

CLASS CODE: 1-Com. 2-Pref. 3-Other	Enter Code	If Voting Enter X	NO. AUTHORIZED	NO. ISSUED AND OUTSTANDING	NO. TREASURY	NO. UNISSUED

7 List each person (if individually owned); partners (if Partnership); officers and directors stockholders owning 3% or more of the voting stock (if corporation).

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION

CONTINUE NAME HERE IF NEEDED — Soc Sec No. (E.I. No. if Corp)

CITY OF RESIDENCE (HEADQUARTERS IF CORPORATION) — ST — % INT — If Felon Enter X — If Alien Enter X — If Corp., enter: 1 Pres. 2-VP, 3 Sec. 4-Trs. 5 Dir. 6 other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION

CONTINUE NAME HERE IF NEEDED — Soc Sec No. (E.I. No. if Corp)

CITY OF RESIDENCE (HEADQUARTERS IF CORPORATION) — ST — % INT — If Felon Enter X — If Alien Enter X — If Corp., enter: 1 Pres. 2 VP, 3 Sec. 4 Trs. 5 Dir. 6 other

Continue on back as needed.

NOTE: File a separate Schedule 4 for each person or business entity listed in Block 7.

7.

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION
CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)
CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X | If Alien Enter X | IF CORP. ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION
CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)
CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X | If Alien Enter X | IF CORP ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION
CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)
CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X | If Alien Enter X | IF CORP ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION
CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)
CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X | If Alien Enter X | IF CORP ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION
CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)
CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X | If Alien Enter X | IF CORP ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION
CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)
CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X | If Alien Enter X | IF CORP. ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION
CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)
CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X | If Alien Enter X | IF CORP. ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

Specify below the person who has completed Schedule 3.

SIGNATURE	TITLE
PRINTED NAME OF PERSON SIGNING	DATE SIGNED

NOTE: File a separate Schedule 4 for each person or business entity listed in Block 7.

FCC FORM 325
DECEMBER 1976

ANNUAL REPORT OF CABLE TELEVISION SYSTEMS

SCHEDULE 4

NOTE: DO NOT USE THIS FORM TO FILE INFORMATION PREVIOUSLY FILED

SCHEDULE 4 - CONTROLLING PERSONS *(File one Schedule 4 for each person or business listed in Schedule 3, Block 7)*

1 NAME OF PERSON (LAST NAME FIRST) OR BUSINESS ENTITY

CONTINUE NAME IF NEEDED

2 Soc.Sec.No.(E.I.No.if business)

Indicate the following information regarding the above person or business entity, as applicable.

3 If a close family relationship exists between this person and another person listed in Schedule 3, Block 7 for the same business entity, describe the relationship below:

(Enter code and Soc. Sec. No) This person is the 1 - Parent/Child 2 - Spouse 3 - Brother/Sister of the person identified by the Soc. Sec. No.	Enter Code	SOC. SEC. NO.	Enter Code	SOC. SEC. NO.

4 If this person's voting stock in a corporation listed in Schedule 3, Block 1 is held for a beneficial owner, indicate below:

LEGAL NAME OF CORPORATION

CONTINUE NAME OF CORPORATION IF NEEDED — E.I. NO.

NAME OF BENEFICIAL OWNER

CONTINUE NAME OF OWNER IF NEEDED — SOC SEC NO.

CITY OF RESIDENCE — ST — IF FELON ENTER X — IF ALIEN ENTER X

LEGAL NAME OF CORPORATION

CONT. NAME OF CORPORATION IF NEEDED — E.I. NO.

NAME OF BENEFICIAL OWNER

CONT. NAME OF BENEFICIAL OWNER IF NEEDED — SOC. SEC. NO.

CITY OF RESIDENCE — ST — IF FELON ENTER X — IF ALIEN ENTER X

5 If this person or business entity has other telecommunications or newspaper interests as defined in the instructions, provide the following information for each interest.
(Nature of interest Code: 1-Officer, 2-Director, 3-Partner, 4-Stockholder, 5-Individual Owner.
Type of BUSINESS Code: 1-Broadcasting, 2-Cable TV Systems, 3- Cable TV Equipment, 4-Common Carrier, 5-Newspaper)

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED — E.I. NO.

CITY OF BUSINESS HEADQUARTERS (if newspaper, city served) — ST — NATURE OF INTEREST: ENTER CODE — % Vot. Int. — If Fiduciary Interest Enter X — TYPE: Enter Code

CONTINUE ON BACK AS NEEDED:

5 LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED | E I NO.

CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED) | ST. | NATURE OF INTEREST: ENTER CODE | %Vot.Int. | If Fiduciary Interest Enter X → | TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED | E I NO.

CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED) | ST. | NATURE OF INTEREST: ENTER CODE | %Vot.Int. | If Fiduciary Interest Enter X → | TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED | E I NO.

CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED) | ST. | NATURE OF INTEREST: ENTER CODE | %Vot.Int. | If Fiduciary Interest Enter X → | TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED | E I NO.

CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED) | ST. | NATURE OF INTEREST: ENTER CODE | %Vot.Int. | If Fiduciary Interest Enter X → | TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED | E I NO.

CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED) | ST. | NATURE OF INTEREST: ENTER CODE | %Vot.Int. | If Fiduciary Interest Enter X → | TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED | E I NO.

CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED) | ST. | NATURE OF INTEREST: ENTER CODE | %Vot.Int. | If Fiduciary Interest Enter X → | TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED | E I NO.

CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED) | ST. | NATURE OF INTEREST: ENTER CODE | %Vot.Int. | If Fiduciary Interest Enter X → | TYPE: Enter Code →

SPECIFY BELOW THE PERSON WHO HAS COMPLETED SCHEDULE 4.

SIGNATURE	TITLE
PRINTED NAME OF PERSON SIGNING	DATE SIGNED

Request Letter From John D. Dingell, Chairman, House Committee on Energy and Commerce

U.S. House of Representatives
Committee on Energy and Commerce
Room 2125, Rayburn House Office Building
Washington, DC 20515

September 15, 1987

Honorable Charles A. Bowsher
Comptroller General
General Accounting Office
441 G Street, N. W.
Washington, D. C. 20548

Dear Mr. Bowsher:

I request that the General Accounting Office (GAO) begin, as soon as is practical, two tasks related to this Committee's oversight responsibilities for the Federal Communications Commission (FCC).

The first task would involve an overview of the commission's spectrum management responsibilities. This would include, as a first step, the construction of an inventory of the spectrum currently allocated and any plans for new allocation or reallocation. A further part of this task would involve an investigation of ways to improve the methods used by the FCC to allocate and manage the spectrum.

The second task would involve a review of the data collected by the Commission regarding the broadcast industry and would include an inventory of financial and ownership data currently collected by the FCC; an analysis of the use of this data by the FCC; a comparison with the data collected prior to 1981; an analysis of the rationale for the change in data collected; and an assessment of data collection needs under the assumption of various regulatory conditions.

Thank you for your prompt attention to this request.

With best wishes.

Sincerely,

JOHN D. DINGELL
CHAIRMAN

Major Contributors to This Report

Resources, Community, and Economic Development Division, Washington, D.C.

Flora H. Milans, Associate Director, (202) 376-9715
Ron Wood, Group Director
Tom Heck, Assignment Manager
Peter Espada, Project Manager

Glossary

Amplitude Modulation (AM)	Transmission of information by varying the amplitude (strength) of a radio signal. This was the earliest form of broadcasting. Broadcast and shortwave stations as well as certain classes of nonbroadcasting stations use AM.
Docket	The record of a proceeding, which is assigned a docket number for administrative control purposes.
Frequency Modulation (FM)	Transmission of information by varying the frequency of a radio signal. FM broadcasts are characterized by man-made interference and natural static. FM also is used for the sound portion of television and most of the nonbroadcast services.
Memorandum, Opinion and Order	A formal FCC order used to (1) terminate a Notice of Inquiry after comments have been received and evaluated, (2) modify an initial FCC decision, or (3) deny a Petition for Reconsideration.
Notice of Inquiry	A formal request by FCC for information or comments by the public on a particular subject.
Notice of Proposed Rulemaking	A formal FCC notification to the public on a particular subject, such as a proposed change to a regulation.
Petition to Deny	A procedure guaranteed by section 309(d) of the Communications Act whereby any party of interest can file a formal objection to an applicant's filing.
Petition for Reconsideration	A formal appeal made by interested parties in response to an FCC final action.
Petition for Rulemaking	A formal or informal request from an interested person to initiate a change in FCC regulations (see "rulemaking"). A petition may be based on a court decision, legislation, or a perceived problem with FCC's rules.

Public Notice	A procedure to notify the public that an application has been received. The public notice period for filing timely comments generally lasts 30 days.
Report and Order	A published decision by FCC to amend or not amend its rules following a Notice of Proposed Rulemaking.
Rulemaking	FCC's process for formulating, amending, or repealing regulations.
Ultra-High-Frequency (UHF) Band	The frequency range from 300 megahertz to 3 gigahertz. Television channels 14 to 69 broadcast on a portion of the UHF band. Very-high-frequency (VHF) band The frequency range from 30 to 300 megahertz. Television channels 2 to 13 broadcast on a portion of the VHF band.

*U.S. G.P.O. 1988-241-164:80326