

Broadcasters Should Prepare to File Biennial Ownership Reports

June 29, 2021

Beginning on **October 1, 2021**, the Federal Communications Commission (FCC or Commission) will open a window during which licensees of commercial and non-commercial full power television, Class A television, low power television, AM radio, and FM radio stations may file their requisite biennial ownership reports. These reports must be filed by **December 1** and must contain ownership information that is current as of **October 1**.

In a recent Public Notice, the FCC's Media Bureau reminded broadcasters that, as part of its review of license renewal applications, Bureau staff will be reviewing whether licensees have filed their 2019 and 2021 biennial ownership information and whether they have certified truthfully concerning compliance with the filing requirement. The Bureau explained that licensees that fail to file their biennial ownership reports could be subject to Commission staff action, including enforcement actions for falsely certifying compliance with the biennial ownership reporting obligation on their license renewal application.

To prepare for the filing window, broadcasters should review their most recent biennial or post-consummation ownership reports and identify:

- Any changes to their ownership since those reports; and
- Any new Section 73.3713 contracts entered into since those reports (all of which should be reflected in the station's online public file, if applicable).

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Media
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We urge licensees to focus on their ownership reports early in this process – we find that those who wait until just before the December 1 deadline are often frustrated by slowness or other technical difficulties with the FCC’s online filing system. Should you need assistance filing your Biennial Form 323 Ownership Reports, please contact the Wiley attorney who regularly handles your station matters or one of the attorneys listed on this client alert.