

ALERT

FCC Announces New FM Translator Window

December 5, 2017

The Federal Communications Commission (FCC) released details and filing instructions for AM radio stations that wish to apply for cross-service FM translator construction permits. The filing window will open on January 25, 2018 and close on January 31, 2018.

If the FCC receives mutually exclusive applications for FM translators during the window that the applicants cannot resolve through technical amendments or settlements, the agency will resolve the competing proposals through competitive bidding designated as Auction 100. Because of the potential for competitive bidding, the FCC has instituted a quiet period for applicants that prohibits communications discussing bids or bidding strategies or discussing or negotiating settlement agreements. The quiet period will run from the deadline for short-form applications until after the deadline for down payments.

Importantly, AM station licensees that already applied for FM translators in either the 2016 modification windows or in the first 2017 FM translator filing window may not file in the upcoming window. An applicant may apply for a cross-service FM translator for each of its stations through separate filings, but each eligible AM station licensee/permittee may propose only one cross-service FM translator to provide fill-in service for a particular AM station.

In addition, the FCC Media Bureau announced it will not accept Low Power FM and FM translator minor change construction permit applications and FM booster construction permit applications between January 18, 2018 and January 31, 2018.

Prospective applicants must file an FCC Form 175 (which requires detailed ownership disclosures) and a separate FCC Form 349 for each proposed facility. The Commission will provide an online tutorial

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of the application filing requirements on January 10, 2018, which will be available at www.fcc.gov/auction/100 (website not yet live).

If you are interested in taking advantage of this new filing window, please contact us.