

The logo for Wilkinson Barker Knaauer, LLP features three concentric, curved red lines on a black background, resembling a stylized signal or radio waves.

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College Radio and the FCC

CMA 2015

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The FCC Is Watching

- While they've given some breaks on fines for student-run stations, penalties for violations can still add up
- You need to comply with almost all of the commercial broadcasting rules – and more
- Your station needs to comply with the rules, and officials of the named licensee need to know what is going on
- Need to insure continuity – as students (and advisors) come and go, make sure that compliance plans stay in place

Issues to Think About – What We'll Discuss Today

- Acquiring an FCC License
- Service to the Public – Licensee Control Issues
- Public Files and Main Studios
- License Renewal
- Ownership Reports
- Technical matters
- EEO obligations
- On-air issues
 - Station IDs
 - Indecency
 - Underwriting
 - Sponsorship
 - Third-party fundraising

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The Magic Piece of Paper – An FCC License

- You need it to “broadcast”
- Limited number of licenses issued
- Windows for noncommercial FMs in the “reserved band” are rare
- LPFM applications were filed two years ago, and many applications already granted
- Plenty of AM stations to be bought if you are looking for opportunities to broadcast

Who Is In Charge?

- FCC license requires oversight by licensee – if college is itself the licensee, make sure that there is oversight
- If it is student or independent group, make sure that there is continuity
- Report on FCC 323E to the FCC who controls the licensee every two years, on anniversary of your license renewal filing
- Also must ask permission if there is a change in control

Serving the Public

- Obligation to address issues of importance to your community
- Demonstrated by issues-programs lists
- Placed in your public file quarterly, by the 10th of April, July, October and January for the previous quarter
- Lists most important issues (5 or so) that face your community, and the programs that you broadcast to address them
- Issue-responsive programs don't need to be just boring public affairs programs
- Fines for noncompliance
- More scrutiny may be coming with online public files

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FCC Filing Obligations

- Ownership Reports - every 2 years
- License Renewal – once every 8 years. We're between cycles now, so it's at least 4 years until you need to worry about those
- Lots of certifications about your operations – including filing of ownership reports and your public file

EEO Obligations

- Mostly for larger stations – 5 or more full-time employees
- Full-time is 30 hours per week
- If you have a big paid staff, then need to widely-disseminate information about job openings, and educate the community on broadcast employment
- And need yearly public file report documenting hiring outreach

Public File

- Quarterly Issues Lists
- EEO Reports
- Ownership Reports
- Pending FCC applications
- FCC authorizations
- Coverage map
- Material relating to FCC investigations
- Donor lists
- Documents that could affect control

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Who Can See the File?

- Public file open to everyone during normal business hours
- No questions asked – no appointment necessary
- At station's main studio
- Supposed to be open and manned during normal business hours
- Be sure that people at the station know where the file is!

Technical Matters – Be Nice to an Engineer!

- Operate at right power from the right place, or ask the FCC for permission to change
- EAS tests!
- Tower painting and lights?
- Weekly signing of station log – which documents technical issues including EAS compliance and tower light monitoring - by “chief operator”

On-air Issues

- Hourly station ID – Call letters and city of license back to back – nothing in between (except frequency allowed)
- Make sure city of license is the actual city specified in your station license

Indecency

- Regulations still apply – watch the F and S words, plus anything else that excessively dwells on sexual or excretory functions
- Safe harbor – 10 PM to 6 AM
- Supreme Court case two years ***did not*** throw out all FCC indecency regulations
- Lots of license renewals held up as FCC deals with the issues

Making Money - Underwriting Announcements

- No ads for commercial sponsors, but you can do Underwriting Announcements
 - No Call To Action
 - No Comparative Claims
 - No Qualitative Claims
 - No Price Information
 - No Credit Terms or Leasing Information
 - Don't make them sound too commercial
- Lots of examples of fines for overstepping the bounds

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- Don't you love meeting new, friendly faces in warm, friendly places? Gilbert Furniture. Don't you love furnishing your home nice and cozy for the holiday season? Gilbert Furniture. Don't you love solid-wood bedroom suites by Orleans? And Chippendale dining-room suites? Everyone loves Queen Anne living-room suites with matching lamps, curios, and end tables. Gilbert Furniture. Gilbert Furniture has all of this, plus leather, three-piece sets, five-piece small dinettes and much more! Gilbert Furniture, next to Southern BBQ on Wilson Dam Road.

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- Offering heating and cooling products for over 100 years. Technology changes rapidly and Heil Heating and Cooling has kept up with technology! Their units, offering up to 13 CR means comfort and energy efficiency for your home or office. The Heil Dealer nearest you is listed in the Yellow Pages. Heil Heating and Cooling, supporters of the New FIX 91.3.

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- Insurance policies, coverages, and rates can sometimes be confusing, so when the time comes for you to make an insurance decision, you want someone you can trust to guide you in the right direction. David Ragsdale of Ragsdale Insurance has been dedicated to providing quality, honest insurance coverage for those in River Valley since 1986. Located at 216 North El Paso in Russellville, Ragsdale Insurance is a supporter of Christian Radio on KMTTC. That's Ragsdale Insurance, 967-7006, serving all of your insurance needs.

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- Ready for a great spring break? Then you can visit D & R Pittsburgh Paints during Pittsburgh paints Spring Celebration and get a great break on Pittsburgh paints easy-to-apply interior and exterior paints, stains and deck care products. For advice and good results, visit D & R Pittsburgh Paints, 905 East Main Street. Underwriting KMTC. You work too hard to paint with anything less.

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Whose the Sponsor?

- Can't Say Anything on air that you were paid to say without sponsorship ID
- That's the premise behind the payola rules
- Problems with noncommercial stations, as you have underwriting rules to deal with too, so you can't be paid by commercial entity to make promotional statement
- Remotes – same rules apply – commercial entity can supply space for event, but can't be too promotional

Contests – Disclose It All

- Lots of recent fines for contest violations
- Have written rules and follow them
- Must disclose all material terms on the air
 - Value of prize
 - How to enter with deadlines
 - When the prize will be awarded
 - How the prize will be awarded
 - Tie breakers and eligibility
- Even if contest is conducted online, you mention it on air, must disclose rules on air too

Third-Party Fundraising

- Current rules prohibit 3rd party fundraising that interrupts normal programs
- No telethons for anyone other than the station
- FCC is looking at whether this should change and if so, how
- Proposals for limited relaxation – but lots of record-keeping and disclosure

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