

## Audio Description Requirement Expanded to All 210 TV Markets

The FCC has adopted a *Second Report and Order* (FCC 23-82) in Docket 11-43, in which it mandates that network-affiliated television stations in all 210 Designated Market Areas (“DMAs”) will eventually include an audio description feature with their programming. This requirement currently pertains to affiliates of the four major commercial networks (ABC, Fox, CBS, and NBC) in the top 90 DMAs. Network-affiliated stations in DMAs ranked 91 through 100 will become subject to this Rule on January 1, 2024. In adopting requirements for video description, the FCC is implementing elements of the Twenty-First Century Communications and Video Accessibility Act of 2010. Audio description is intended to make video programming more accessible to individuals who are blind or visually impaired. Audio-narrated descriptions of a television program’s key elements are inserted into natural pauses in the program’s dialogue and carried on a secondary audio stream.

Stations subject to this requirement must provide at least 50 hours of audio-described programming per calendar

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## LPFM Filing Window Postponed to December 6-13

The FCC’s Media Bureau has announced a postponement of the filing window for applications for construction permits for new low power FM (“LPFM”) radio stations that had been scheduled for the first week of November. In a *Public Notice* (DA 23-984), the Bureau said it was taking this action in response to a request from a coalition of LPFM advocates. The filing window is now set to open at 12:01 a.m. Eastern Time on December 6 and to close at 6:00 p.m. Eastern Time on December 13. This will be the first opportunity to file this type of application since 2013.

The maximum power permitted for this class of station is 100 watts with an antenna height of 30 meters

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## Ownership Reports Due December 1

With a *Public Notice* (DA 23-862), the FCC’s Media Bureau has reminded the broadcast industry that biennial ownership reports must be submitted to the Commission by December 1. The Commission’s Rules require all full service television, Class A television, low power television, AM radio, and full power FM radio stations to file an ownership report in the autumn of odd-numbered years. These reports are filed on Form 323 (commercial stations) and Form 323-E (noncommercial stations) and must show the station ownership that was in place as of October 1.

The Bureau explained that the accurate and timely filing of the information requested in these reports is critical to ensuring that the Commission and the public know who owns, operates, and controls broadcast stations. The Bureau cautioned that FCC staff may pursue enforcement action against licensees that fail to submit their biennial ownership reports in a timely or complete manner.

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For more information about or help with any of the items reported in *Antenna™* please contact:

pillsbury

1200 Seventeenth St. NW  
Washington, D.C. 20036

Tel: 202.663.8167

Fax: 202.663.8007

E-mail: [scott.flick@pillsburylaw.com](mailto:scott.flick@pillsburylaw.com)

# Class A TV Station Consents to \$97K Penalty for License Renewal and Public File Miscues

The FCC's Media Bureau has entered into a *Consent Decree* (DA 23-827) with Liberty Communications, Inc., licensee of Class A television station, W36EX-D, Alton, Illinois. This settlement resolves an investigation by the Bureau concerning the late filing of the station's 2021 license renewal application and the maintenance of the station's Online Public Inspection File.

The most recent license renewal application for W36EX-D was due by August 1, 2021. It was submitted on August 30. Aside from being late, the renewal application included an inaccurate response to one of the questions in the form. The applicant certified that it had properly maintained its Online Public Inspection File as required by Section 73.3526 of the Commission's rules. However, the Bureau's investigation revealed that during the expiring license term, the station had failed to upload 28 Issues and Programs Lists, 23 children's television programming reports, all of its records concerning commercial limits in children's programming, and a 2014 Forfeiture Order concerning previous rule violations – all of which were required to be in the Online Public Inspection File.

The Bureau found that the inaccurate response in the renewal application concerning the Public Inspection File failures was a violation of Section 73.3514(a) of the Rules, which requires an application to include all of the information requested by the particular form used for the application

in question. Further, Section 1.65(a) of the Rules requires an applicant to maintain the accuracy and completeness of a pending application. If information presented in the application changes, an amendment to update it is to be filed within 30 days. The Bureau determined in this case that the applicant not only failed to fully disclose that it did not properly place all of its required documents in the Public Inspection File in a timely manner, but it also failed to maintain the accuracy of its application by asserting that it would maintain a complete Online Public Inspection File moving forward and failing to amend its renewal application to report subsequent violations.

In the *Consent Decree*, Liberty Communications admitted that it violated certain FCC Rules and agreed to pay a civil penalty of \$97,000. The Media Bureau agreed to terminate the investigation. In most cases of this nature involving a renewal application, the Commission commits to granting the application upon payment of the penalty. In an unusual move in this case, the Bureau adopted the Consent Decree and granted the renewal application in the same Order.

While the license renewal application was pending, Liberty had filed an assignment application, proposing to sell the station to an unrelated third party. The *Order* also granted the assignment application and gave Liberty until 15 days after the closing on the sale of the station to pay the penalty.

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## BAS 12.7 GHz Band Licensees Must Certify Accuracy of Their Licenses

The FCC's Wireless Telecommunications Bureau ("WTB") has issued a *Public Notice* (DA23-794) directing licensees holding Broadcast Auxiliary Service ("BAS") and Cable Television Relay Service ("CARS") authorizations in the 12.7 GHz band to certify that the information on their licenses is accurate, including whether the facilities are operating as authorized. The BAS certifications must be filed with the Commission's Universal Licensing System ("ULS") by November 29. CARS certifications are due by the same deadline at the Cable Operations and Licensing System ("COALS").

Earlier this year, the FCC proposed to repurpose some or all of the spectrum in the 12.7-13.25 GHz band for mobile broadband or other expanded use in a *Notice of Proposed Rulemaking and Order* (FCC 23-36) in Docket 22-352. The Commission has proposed that certain incumbent BAS and CARS operations will be entitled to protection or relocation assistance during the transition of this spectrum to other uses. To qualify for incumbent status, licensees must, with certain exceptions, certify the accuracy of the existing license or file an application to modify their facilities so as to become suitable.

A licensee that filed an application on or after January 1, 2021, for a new or modified BAS license to operate in the 12.7 GHz band is exempt from this certification requirement with respect to the specific license involved in that application.

Such a licensee must however make corrections to its license if necessary to keep it accurate and complete. A licensee who files a modification application on or before November 29 to correct or complete information in the Commission's databases, does *not* need to file a certification for that specific license. If the licensee has other licenses for which no modification is filed, certifications for those licenses will be required.

If a licensee is unable to make the certification for a license because the required technical data in the license are inaccurate, missing or incomplete; the license has terminated automatically; or the facilities are not operating as authorized, the licensee must cancel the authorization or file a modification application no later than November 29.

A freeze is presently in effect for the filing of new or major modification applications for authorizations in the 12.7 GHz band to preserve the current environment of authorized operations pending the Commission's consideration of reallocating this spectrum. The freeze does not extend to BAS or CARS applications for renewal, cancellation, or minor modification, if the applicant demonstrates in an exhibit that the modification would not add to any relocation costs, if applicable in the future. Otherwise, a modification application must be accompanied by a request for a waiver of the freeze.

# Unqualified Signature Is Fatal for Application

The Audio Division of the FCC's Media Bureau has dismissed an application for a new noncommercial FM construction permit because it was not signed by a person qualified under the Commission's Rules to sign the form. This action was taken in a *Letter Decision* (DA 23-924) released by the Audio Division's Chief.

Gallup Public Radio ("GPR") filed an application for a new station in the noncommercial FM filing window opened by the FCC in November 2021. GPR is a nonprofit corporation and the licensee of noncommercial FM station KGLP, Gallup, New Mexico. In its application as ultimately amended, GPR proposed a new station at St. Michaels, Arizona. The original application and a subsequent amendment were executed by Rachel J. Kaub, who was identified as the "KGLP Station Manager."

The FCC determined that the application was mutually exclusive with two others, and for purposes of comparative analysis, assigned all three of them to NCE MX Group 152. After comparative evaluation, the Commission named GPR as the tentative selectee in the group and accepted it for filing. One of the mutually exclusive applicants, Good News Broadcasting Network, Inc. ("GNBN"), filed a Petition to

Deny GPR's application.

The petitioner observed that Kaub was not identified in the application nor in GPR's filings in the corporate records of the New Mexico Secretary of State as an officer or director of GPR. The petitioner then referenced Section 73.3513(a)(3) of the Commission's Rules which states that the signer of a broadcast application submitted by a corporation must be an officer of the corporation. The petitioner then argued that this defect in the application should result in its dismissal.

Before the Commission acted on GNBN's Petition, GPR amended its application to revise the signature field in the form by substituting the signature of the president of its board of directors in place of Kaub's signature. GPR argued that this amendment sufficed to cure the defect in the original application, claiming that the Commission has previously accepted amendments to correct similar signature deficiencies. GPR also asserted that Kaub had been authorized by the board of directors to sign the application. The GPR bylaws provide that the board of directors may authorize the "General Manager of the Corporation" to execute and deliver any instrument in the name of and on

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## Copyright Office Studies AI

The United States Copyright Office has initiated a study and requested public comment on the relationship between artificial intelligence ("AI") and copyright. This proceeding was launched with the publication of a *Notice of Inquiry* ("NOI") (88 Fed.Reg. 59942) in Docket No. 2023-6. The Office has identified and seeks public input on a range of policy issues arising from the development and use of AI.

The first issue concerns the use of copyrighted works to train AI models. Information is requested about whether and when the use of copyrighted works to develop datasets for training AI models (in both generative and nongenerative systems) is infringing. The Office asks how AI datasets are collected and curated, and how those datasets are used to train AI models. Commenters are asked to identify the sources of the materials used in the datasets and how they are used to train the models. The Office inquires as to whether the copyright owners of the ingested materials consent to such use with or without compensation. To the extent that commenters believe such permission and/or compensation is necessary, the Office solicits their views on which kind of remuneration(s) would be feasible and effective. Comment is also sought regarding the retention of records necessary to identify the underlying training materials and the availability of this information to copyright owners or others.

The second issue explored in this NOI is the copyrightability of material generated using an AI system. The law is clear that copyright is limited to works of human authorship. But there is debate about how and where to draw the line between human creation and AI-generated content. The Office asks whether a human's use of a generative AI

system could involve sufficient control over the technology, such as through the selection of training materials and multiple iterations of instructions to result in output that is human-authored. The Office is working to update its registration guidance on works that include AI-generated material. Resolution of this issue will affect future decisions about whether a given work is eligible for copyright registration.

Third, the Office is studying the potential for liability for infringing works generated using AI systems. The Office is interested in comment about how copyright liability principles could or should cover material created by generative AI systems. An illustrative question to be resolved is how liability should be apportioned, for an output found to be substantially similar to a copyrighted work that was part of the training dataset and that does not qualify as fair use, between the user whose instructions prompted the output and the developer(s) of the system dataset.

The fourth issue under review in this proceeding concerns an AI system's ability to mimic the voices, likenesses and/or styles of artists and performers. Although these personal attributes are not generally protected by copyright law, their copying may implicate varying rights of publicity and unfair competition law, and various international treaty obligations.

Addressing these four general topics, the *Notice of Inquiry* poses approximately 70 specific questions to which commenters are invited to respond. The deadline for initial comments has passed, but the Copyright Office is accepting reply comments until November 15.



# DEADLINES TO WATCH



## License Renewal, FCC Reports & Public Inspection Files

October 1	Deadline to place must-carry retransmission-consent election notices in Public Inspection File and to deliver changes in election to MVPDs.	November 29	Deadline to file certifications or modification applications for BAS licenses in the 12.7 GHz band.
October 1	Deadline to place EEO Public File Report in Public Inspection File and on station's website for all nonexempt radio and television stations in <b>Alaska, American Samoa, Florida, Guam, Hawaii, Iowa, Mariana Islands, Missouri, Oregon, Puerto Rico, the Virgin Islands, and Washington.</b>	December 1	Deadline to file Biennial Ownership Reports for all full service radio and television stations, Class A television stations, and low power television stations.
October 2	Deadline for all broadcast licensees and permittees of stations in <b>Alaska, American Samoa, Florida, Guam, Hawaii, Iowa, Mariana Islands, Missouri, Oregon, Puerto Rico, the Virgin Islands, and Washington</b> to file annual report on any adverse findings and final actions taken by any court or governmental administrative agency involving misconduct of the licensee, permittee, or any person or entity having an attributable interest in the station(s).	December 1	Deadline for television stations that provided ancillary or supplementary services during the 12-month period ending September 30, 2023, to file annual Ancillary/Supplementary Services Report.
October 2	Mid-Term EEO review begins for certain radio stations in <b>Florida, Puerto Rico, and the Virgin Islands.</b>	December 1	Deadline to place EEO Public File Report in Public Inspection File and on station's Internet website for all nonexempt radio and television stations in <b>Alabama, Colorado, Connecticut, Georgia, Maine, Massachusetts, Minnesota, Montana, New Hampshire, North Dakota, Rhode Island, South Dakota, and Vermont.</b>
October 10	Deadline to place quarterly Issues/Programs List in Public Inspection File for all full service radio and televisions stations and Class A TV stations.	December 1	Deadline for all broadcast licensees and permittees of stations in <b>Alabama, Colorado, Connecticut, Georgia, Maine, Massachusetts, Minnesota, Montana, New Hampshire, North Dakota, Rhode Island, South Dakota, and Vermont</b> to file annual report on all adverse findings and final actions taken by any court or governmental administrative agency involving misconduct of the licensee, permittee, or any person or entity having an attributable interest in the station(s).
October 10	Deadline for all noncommercial stations to place reports about third-party fundraising in Public Inspection File.	December 1	Mid-Term EEO review begins for certain radio stations in <b>Alabama and Georgia.</b>
October 10	Deadline for all Class A TV stations to place quarterly statement of Class A qualifications in Public Inspection File.		

## Lowest Unit Charge Schedule for 2024 Political Campaign Season

During the 45-day period prior to a primary election or party caucus and the 60-day period prior to the general election, commercial broadcast stations are prohibited from charging any legally qualified candidate for elective office (who does not waive his or her rights) more than the station's Lowest Unit Charge ("LUC") for advertising that promotes the candidate's campaign for office. Lowest-unit-charge restrictions will soon be in effect in the following jurisdictions. Some of these dates may be subject to change.

STATE	ELECTION EVENT	DATE	LUC PERIOD
Iowa	Rep. Pres. Caucus	Jan. 15	Dec. 1 – Jan. 15
South Carolina	Dem. Pres. Primary	Feb. 3	Dec. 20 – Feb. 3
Nevada	Dem. Pres. Primary	Feb. 6	Dec. 23 – Feb. 6
Nevada	Rep. Pres. Caucus	Feb. 8	Dec. 25 – Feb. 8
Virgin Islands	Rep. Pres. Caucus	Feb. 8	Dec. 25 – Feb. 8
South Carolina	Rep. Pres. Primary	Feb. 24	Jan. 10 – Feb. 24
Michigan	Presidential Primaries	Feb. 27	Jan. 13 – Feb. 27



# DEADLINES TO WATCH



## Deadlines for Comments in FCC and Other Proceedings

DOCKET

COMMENTS    REPLY COMMENTS

(All proceedings are before the FCC unless otherwise noted.)

Docket 23-232; NOI (FCC 23-63) Understanding non-federal spectrum usage		Nov. 2
U.S. Copyright Office Docket 2023-6, NOI (88 FR 59942) Artificial intelligence and copyright		Nov. 15
Docket 23-283; Public Notice (DA 23-710) Revision or elimination of certain Rules adopted during 2007-2012	Nov. 27	N/A

## Paperwork Reduction Act Proceedings

The FCC is required by the Paperwork Reduction Act to periodically collect public information on the paperwork burdens imposed by its record-keeping requirements in connection with certain rules, policies, applications, and forms. Public comment has been invited about this aspect of the following matters by the filing deadlines indicated.

TOPIC	COMMENT DEADLINE
Accessibility of emergency information, Section 79.2	Oct. 23
Audio description and emergency information, Section 79.105	Oct. 23
LPTV, TV and FM translator station records, Section 74.781, 74.1281	Oct. 30
Candidate rates, Section 73.1942	Oct. 30
Hearing procedures, Sections 1.221, 1.229, 1.248	Oct. 30
Cable carriage proceedings, Sections 76.7, 76.9, 76.61, 76.1302	Oct. 30
Program tests, Section 73.1620	Nov. 7
Permit but disclose proceedings, Section 1.1206	Nov. 9
Rule amendments recently adopted re FM6 LPTV	Nov 13
Public Inspection Files, Sections 73.3526, 73.3527	
Political Files, Sections 73.1212, 73.1943	
License renewal application, Form 2100, Schedule 303-S	
Special Temporary Authorizations	
AM measurement data	Dec. 12
CALM Act implementation, Section 73.682(e)	Dec. 12
Blanketing interference, Sections 73.88, 73.315, 73.685	Dec. 12
Discontinuance of operations, Section 73.1750	Dec. 12
Request for extension of time to operate without certain monitors, indicating equipment, or EAS equipment, Section 73.3549	Dec. 12
Call sign request, Section 73.3550	Dec. 12
Construction at or near exiting AM antenna site, Sections 1.3002, 1.3003, 1.3004	Dec. 12
Special Temporary Authorizations, Section 73.1635	Dec. 12
Suspension of operations notice, Section 73.1740	Dec. 12
Temporary operations during construction, Section 73.1615	Dec. 12
Notice re change of control point, Section 73.1350	Dec. 12
Administrative updates, Section 73.3544	Dec. 12
Program test, Section 73.1620	Dec. 12
Reduced power notification, Section 73.1560	Dec. 12
Station use during emergency, Section 73.1250	Dec. 12



# DEADLINES TO WATCH



## Proposed Amendments to the FM Table of Allotments

The FCC is considering requests to amend the FM Table of Allotments by adding and/or substituting the channels described below. The deadlines for submitting comments and reply comments are shown. Counterproposals must be filed by the deadline for comments.

COMMUNITY	PRESENT CHANNEL	PROPOSED CHANNEL	COMMENTS	REPLY COMMENTS
Lac de Flambeau, WI	---	225A	Oct. 30	Nov. 15

## Proposed Amendments to the Television Table of Allotments

The FCC is considering petitions to amend the digital television Table of Allotments by changing the channels allotted to the communities identified below. The deadlines for submitting comments and reply comments are shown.

COMMUNITY	STATION	PRESENT CHANNEL	PROPOSED CHANNEL	COMMENTS	REPLY COMMENTS
Jacksonville, OR	New	---	*4	Nov. 3	Nov. 20
Shawano, WI	New	---	31	FR+30	FR+45
Wittenberg, WI	New	31	---	FR+30	FR+45

An asterisk (\*) indicates that the channel is reserved or proposed to be reserved exclusively for noncommercial use.

FR+N means that the filing deadline is N days after publication of notice of the proceeding in the Federal Register.

**NATIONWIDE EAS TEST  
DEADLINE TO FILE FORM THREE  
NOVEMBER 20, 2023**

## Unqualified Signature Is Fatal for Application continued from page 3

behalf of the corporation. GPR explained that Kaub met with the corporation's board of directors monthly to discuss the application. The board had approved the filing made on its behalf by Kaub, and had delegated to her authority to complete and submit the application. In response, GNB pointed out that GPR's bylaws did not identify the general manager as an officer of the corporation.

GPR also claimed that its position was no different than that of other applicants whose applications were signed by members of the applicant's board of directors, and which the FCC subsequently granted. The Bureau disagreed. It reasoned that corporate officers derive their authority from the board of directors. A director who is part of the body from which an officer derives authority could reasonably exercise that authority himself.

Applicants in the noncommercial FM filing window were permitted one and only one amendment to repair any defects in their applications. GPR's application had previously been dismissed for mislocating its proposed community of license in the wrong state. GPR cured that mistake with an amendment and a petition for reconsideration, whereupon

the Bureau reinstated the application. GPR then argued that it had corrected the signature with another amendment before the application was dismissed. It interpreted the Bureau's policy to mean that disqualification would occur after two dismissals, rather than merely after two curative amendments. GPR's application had been dismissed only once. Following that rationale, GPR said that its repaired application should survive.

Nonetheless, the Bureau concluded that the Rule mandates that an officer of a corporate applicant must sign the application form. To support this conclusion it cited decisions of the full Commission that overruled the lower Media Bureau decisions on which GPR had relied. Further and importantly, the Bureau ruled that a signature deficiency on an application is not a defect that can be cured with an amendment. Hence, GPR's application had to be dismissed with prejudice even though it had attempted to correct the error, and regardless of the purported difference between dismissals and curative amendments. Well past the end of the filing window, GPR was no longer able to revive its application.

# LPFM Filing Window Postponed to December 6-13 continued from page 1

above average terrain. These stations are permitted on any frequency in the FM band. All LPFM stations are licensed as noncommercial stations, even if they operate in the portion of the FM band normally used by commercial stations.

An LPFM application must propose a transmitter site for the proposed station that would protect all other existing station authorizations, using the protection formulas in the Commission's Rules. The FCC has developed a tool to assist in determining whether a desired location would meet the protection criteria. The tool can be found online at <https://www.fcc.gov/media/radio/lpfm-channel-finder>. While the Commission's channel-finder tool is a useful beginning, more granular engineering research may be needed to develop a feasible proposal for a new station. Although an LPFM station must protect every other pre-existing station, as a secondary service it is not protected from interference from other stations or applications for new stations or modifications to existing stations except for subsequently filed (post-filing window) applications for other LPFM stations and FM translator stations.

The LPFM applicant and licensee must be a local entity recognized as a nonprofit organization under state law. To be considered local, the applicant must meet at least one of the following criteria:

(1) The applicant, its local chapter or branch is physically headquartered or has a campus within 10 miles of the proposed site of the transmitting antenna for applicants in the top 50 urban markets, and within 20 miles for applicants outside of the top 50 urban markets;

(2) 75 percent of the members of the applicant's governing board reside within 10 miles of the proposed site for the transmitting antenna for applicants in the top 50 urban markets, and within 20 miles for applicants outside of the top 50 urban markets; or

(3) In the case of a Tribal applicant, the Tribal applicant's Tribal lands are within the service area of the proposed LPFM station.

In most cases, an LPFM licensee (including its officers and board members) cannot have an attributable interest in any other broadcast station (except that it can own up to two FM translator stations with 60 dbu contours that overlap the LPFM station's 60 dbu contour and that rebroadcast the LPFM station). Further, except for Tribal entities, an LPFM licensee may own no more than one LPFM station. A Tribal applicant is permitted to hold up to two LPFM stations.

An organization that has operated an unlicensed pirate broadcast station, or that has an officer or board member

who has operated or been involved with an unlicensed pirate station, is ineligible to hold an LPFM license. Applications with this defect will be dismissed without consideration and without an opportunity to file a corrective amendment.

If mutually exclusive applications are submitted during the filing window, the FCC will choose the applicant with the most comparative points as the tentative selectee. Each mutually exclusive application will be awarded one point for each of the following criteria:

(1) Established community presence. An applicant must, for a period of at least two years prior to filing the application and at all times thereafter, have qualified as local.

(2) Local program origination. The applicant must pledge to broadcast at least eight hours of per day of locally produced programming.

(3) Main studio. The applicant must pledge to maintain a publicly accessible main studio that has local program origination capability, is reachable by telephone, is staffed at least 20 hours per week between 7 a.m. and 10 p.m., and is located within 10 miles of the proposed site for the transmitting antenna for applicants in the top 50 urban markets and within 20 miles for applicants outside the top 50 urban markets. Applicants claiming a point under this criterion must specify the proposed address and telephone number for the proposed main studio in their applications.

(4) Combination of local programming and main studio. An applicant can earn an additional point if it commits both to provide at least eight hours per day of local programming, and to maintain a main studio meeting the criteria stated above.

(5) Diversity of ownership. An applicant must hold no attributable interests in any other broadcast station.

(6) Tribal applicants serving Tribal Lands. The applicant must be a Tribal applicant, and the proposed site for the transmitting antenna must be located on that Tribal applicant's "Tribal Lands."

If two or more applicants are tied for the highest number of points in a mutually exclusive group, the Commission's rules provide mechanisms for settlements, mergers, and arrangements for time-sharing on the same channel.

The FCC previously imposed a freeze on the filing of modification applications for existing LPFM and FM translator stations until the close of the LPFM filing window. With the postponement of the filing window, the freeze on those applications will continue through December 13.

**DEADLINE TO BEGIN AUDIO DESCRIPTION  
SERVICES FOR ABC, CBS, FOX, and NBC TV  
AFFILIATES IN MARKETS 91-100**

**JANUARY 1, 2024**

# Audio Description Requirement Expanded to All 210 TV Markets continued from page 1

quarter during prime time or on children's programming, and an additional 37.5 hours per quarter at any time between 6:00 a.m. and 11:59 p.m. These audio description requirements will be expanded to cover network affiliates in increments of the 10 next largest markets on January 1 of each year, beginning in 2025, and continuing through 2035.

The Commission solicited comments in this proceeding about the costs and benefits of implementing audio description in the small markets. The agency says that the record generated demonstrates that those costs for market 101 through 210 are expected to be "reasonable" and "minimal." These expectations are premised on the facts that: (1) covered broadcasters are already required to have equipment and infrastructure necessary to deliver a secondary audio stream for purposes of transmitting emergency information, and (2) network affiliates in all DMAs are already required to pass through audio description that they receive from a network feed.

Market rankings used to establish the implementation schedule over the next decade are those set by the Nielsen company as of January 1, 2023. The deadlines for implementing audio description in DMAs 91 and smaller are set out below:

January 1, 2024, DMAs 91 through 100: El Paso-Las Cruces, Paducah-Cape Girardeau-Harrisburg, Cedar Rapids-Waterloo-Iowa City-Dubuque, Burlington-Plattsburgh, Baton Rouge, Jackson (Mississippi), Fort Smith-Fayetteville-Springdale-Rogers, Boise, South Bend-Elkhart, Myrtle Beach-Florence.

January 1, 2025, DMAs 101 through 110: Tri-Cities (Tennessee/Virginia), Reno, Greenville-New Bern-Washington, Davenport-Rock Island-Moline, Tallahassee-Thomasville, Lincoln-Hastings-Kearney, Evansville, Fort Wayne, Johnstown-Altoona-State College, Augusta-Aiken.

January 1, 2026, DMAs 111 through 120: Tyler-Longview-Lufkin-Nacogdoches, Sioux Falls-Mitchell, Fargo-Valley City, Springfield-Holyoke, Lansing, Youngstown, Yakima-Pasco-Richland-Kennewick, Traverse City-Cadillac, Eugene, Macon.

January 1, 2027, DMAs 121 through 130: Montgomery-Selma, Peoria-Bloomington, Bakersfield, Santa Barbara-Santa Maria-San Luis Obispo, Lafayette (Louisiana), Columbus-Opelika (Georgia), Monterey-Salinas, La Crosse-Eau Claire, Wilmington (North Carolina), Corpus Christi.

January 1, 2028, DMAs 131 through 140: Amarillo, Wausau-Rhineland, Chico-Redding, Columbus-Tupelo-West Point-Houston, Salisbury, Medford-Klamath Falls, Columbia-Jefferson City, Rockford, Duluth-Superior, Monroe-El Dorado.

January 1, 2029, DMAs 141 through 150: Topeka, Lubbock, Beaumont-Port Arthur, Palm Springs, Minot-Bismarck-Dickinson-Williston, Anchorage, Odessa-Midland, Wichita Falls-Lawton, Sioux City, Erie.

January 1, 2030, DMAs 151 through 160: Rochester-Mason City-Austin, Joplin-Pittsburg, Panama City, Albany (Georgia), Idaho Falls-Pocatello-Jackson, Bangor, Biloxi-Gulfport, Terre Haute, Gainesville, Sherman-Ada.

January 1, 2031, DMAs 161 through 170: Binghamton, Missoula, Wheeling-Steubenville, Yuma-El Centro, Bluefield-Beckley-Oak Hill, Billings, Abilene-Sweetwater, Hattiesburg-Laurel, Dothan, Rapid City.

January 1, 2032, DMAs 171 through 180: Jackson (Tennessee), Utica, Lake Charles, Clarksburg-Weston, Harrisonburg, Quincy-Hannibal-Keokuk, Charlottesville, Elmira-Corning, Watertown, Bend (Oregon).

January 1, 2033, DMAs 181 through 190: Alexandria (Louisiana), Marquette, Jonesboro, Bowling Green, Laredo, Butte-Bozeman, Lafayette (Indiana), Grand Junction-Montrose, Twin Falls, Lima.

January 1, 2034, DMAs 191 through 200: Great Falls, Meridian, Parkersburg, Greenwood-Greenville, Eureka, Cheyenne-Scottsbluff, San Angelo, Casper-Riverton, Mankato, Ottumwa-Kirksville.

January 1, 2035, DMAS 201 through 210: St. Joseph, Fairbanks, Zanesville, Victoria, Helena, Presque Isle, Juneau, Alpena, North Platte, Glendive.

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## FILING WINDOW FOR APPLICATIONS FOR NEW LOW POWER FM STATIONS

**DECEMBER 6 – 13, 2023**

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