

Top Ten Issues for Broadcasters - DC Issues to Keep You Up at Night

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So what should be keeping you up at night?

- Always things to think about
- Plenty of issues on the table – probably more than I've ever seen
- Many fundamental issues for broadcasters
- Lots of policy issues from FCC and the Hill, many taking a long time to resolve with the FCC's focus on broadband and Congress' focus on money
- So here's my mix of practical and policy issues to worry about....

10. So You Want to Hire Someone in This Economy?

- Remember your FCC EEO obligations
- Outreach for all employment openings if you have 5 full-time employees
- Supplemental efforts
- Annual report in public file and on your website, June 1 deadline
- Self-assessment!
- Regular audits, regular fines, and lots or rumblings about possible increased scrutiny from Public Interest Groups
- Watch for 395 coming back

9. What you did and when you did it

- Quarterly issues programs lists

- 10 days after the end of each quarter – they go in your public file
- Biggest source of fines last renewal cycle – for commercial and noncommercial stations
- Every station should have them
- Renewal cycle starts in less than a year and hits Utah in June 2013 for radio, 2014 for TV
- April 10 is coming up – is this quarter's report ready?

8. So what if no one ever looks? – the Public File

- Accessible during normal business hours to all who ask
- Ownership information – did you file your ownership report on the new form back in July? Are you ready to file again in November?
- FCC applications
- Letters from the public about station operations
- LMAs/JSAs
- QPIs
- Contracts relating to station ownership and control – Articles and By-Laws, Stock Pledges, other documents that put significant restraints on your unencumbered operations – must be available in a week upon request, if not in the file

7. The Ups and Downs – Tower Issues

- Keeps lights lit
- Keep fences locked
- Keep fences in good repair
- Label High RF areas
- Post Tower registration information
where visible from outside the fences

6. For a little guy, you sure make lots of noise – LPFM/translator issues

- LPFM law passed Congress in December – deleting adjacent channel interference protections to full-power stations, and providing for some second channel waivers
- FCC Trying to figure it all out
- FM Translators can be used by AM stations – with some limits
- HD-2 translators allowed
- Timing issues on hops when moving translators

5. New Captioning Issues for TV

- Close captioning all programs should be a reality for most stations
- Remember emergency information must be made available visually
- Complaints from the public made more easy
- Video description requirements coming – to help visually impaired

4. Be Nice to Your Engineer

- Coming soon – implementing CAP protocols for EAS
- EAS – make sure it works
- Stay on frequency
- Stay within authorized power
- AM stations with day/night power or pattern differences – observe them!
- If something goes wrong – ask for STA – don't ignore problems and hope that no one will notice

3. Watch What You Say

- Not just indecency – though that issue has certainly not gone away
- Political – watch ads from third party groups, remember state candidates get LUC and Equal Opportunities
- Don't give away what you don't have – contest issues – announce all material rules and make sure that you follow them
- Tell who paid you for what you say on the air – sponsorship ID issues and payola
- Noncommercial stations – be careful in saying thank you – don't be too enthusiastic in thanking donors and sponsors – no qualitative claims or calls to action
- Future issues? Fast food ads, prescription drug restrictions, emergency information in multiple languages

2. A Piece of the Action

- PERFORMANCE ROYALTY – just when you thought that it was gone...
- ASCAP and BMI royalty fights for radio and TV
- SESAC is asking for more
- Preview of the next session
- Make sure that you have rights to use content in all the different places that you use it
- Lots of website issues:
 - Slogans, liners and positioning statements
 - Recorded music used in commercials and promos
 - Movie or TV bits incorporated into radio program
- Be careful with the use of pictures and other materials created by independent contractors
- Websites make you a target

And Number 1 – So Who Needs that Spectrum Anyway?

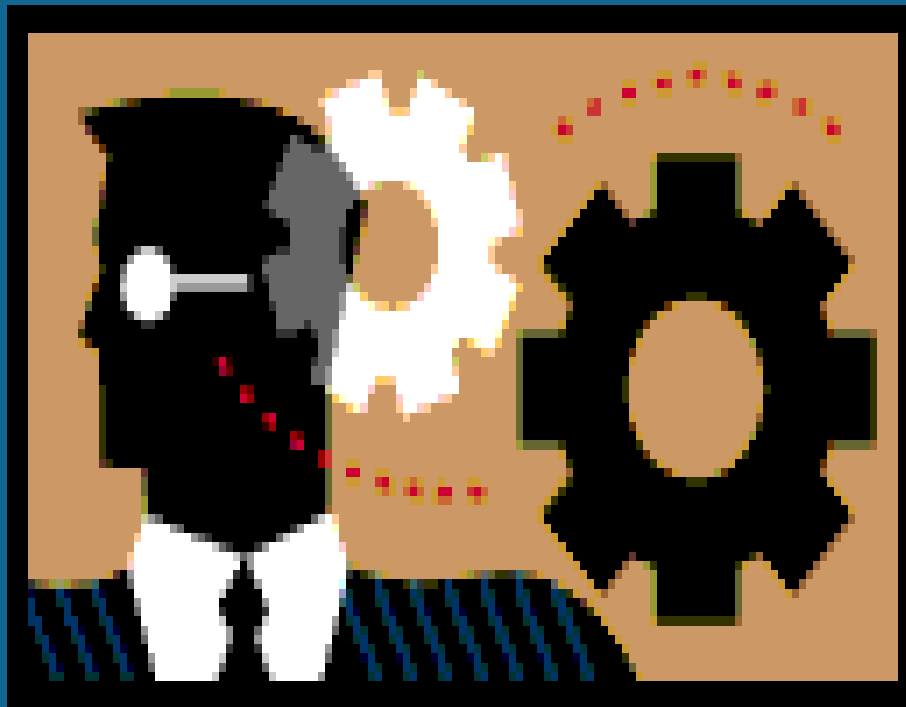
- FCC Broadband Plan Implementation and Impact on TV Spectrum
- White Spaces Implementation
- Channel 5 and 6 controversy – use it for radio, or keep it for TV?
- LPTV/TV Translator digital conversion
- Is radio next?

Overtime – worries for the future

- Ownership – FCC reviewing their ownership rules
- Future of Media proceeding – localism, news programming obligations, etc – how does the 21st century broadcaster meet the needs of its community
- Spectrum fees or news tax?

Now it's your turn...

- Time for your questions.....



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