



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information: 202-418-0500
Internet: www.fcc.gov
TTY: 888-835-5322

DA 19-611

Released: July 1, 2019

INCENTIVE AUCTION TASK FORCE AND MEDIA BUREAU UPDATE PRICE RANGES IN CATALOG OF REIMBURSEMENT EXPENSES FOR FULL POWER AND CLASS A TV STATIONS AND MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTORS

MB Docket No. 16-306
GN Docket No. 12-268

In this public notice, the Incentive Auction Task Force and the Media Bureau (Bureau) announce that we have updated the price ranges listed in the catalog of eligible reimbursement expenses (Catalog) utilized to reimburse full power and Class A TV stations and Multichannel Video Programming Distributors (MVPDs) from the TV Broadcaster Relocation Fund (Fund).¹ The changes are made in accordance with the economic methodology previously adopted to adjust the Catalog's price ranges annually throughout the reimbursement period.²

The Catalog is a non-exhaustive list, or reference guide, organized by category, of the equipment and service costs that full power and Class A TV broadcasters and MVPDs are most likely to incur as a result of their post-incentive auction broadcast transition.³ The Catalog is embedded within Form 2100, Schedule 399 (Form 399), and provides a predetermined dollar amount for expenses identified in the Catalog that entities may use in the absence of a quote when submitting their estimates.⁴ The Bureau previously sought and received comment on the Catalog.⁵ In February 2017, we adopted the economic methodology for annually adjusting its prices in accordance with the BLS' PPI annual average for the

¹ *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, Report and Order, 29 FCC Rcd 6567, 6820 para. 619 (2014) (delegating authority to the Bureau "to ... develop a final Catalog of Eligible Expenses, and make other determinations regarding eligible costs and the reimbursement process."), (*Incentive Auction R&O*) *aff'd*, *Nat'l Ass'n of Broadcasters v. FCC*, 789 F.3d 165 (D.C. Cir. 2015). See also *Middle Class Tax Relief and Job Creation Act of 2012*, Pub. L. No. 112-96, §§ 6402, 6403, 125 Stat. 156 (2012) (Spectrum Act) at § 6403(d)(1); and see 47 U.S.C. §§ 309(j)(8)(G)(iii)(I), 1452(b)(4)(A)(i)-(ii).

² See *Incentive Auction Task Force and Media Bureau Finalize Catalog of Reimbursement Expenses*, MB Docket No. 16-306, GN Docket No. 12-268, Public Notice, 32 FCC Rcd 1199 (IATF/MB 2017) (*Catalog Finalization PN*) (adopting proposal to annually update the Catalog's costs using the Bureau of Labor Statistics' (BLS) Producer Price Index (PPI) annual average for the WPUFD4 series).

³ *Id.* 32 FCC Rcd at 1201, para. 3 (internal citations omitted).

⁴ See *Incentive Auction R&O*, 29 FCC Rcd at 6817-18, para. 611 (Commission explaining that the Catalog would include a "predetermined estimate of the cost, or range of costs, for equipment and other expenses," and that eligible entities would be able to select either the predetermined cost from the Catalog or provide their own estimate).

⁵ *Media Bureau Seeks Comment on Catalog of Eligible Expenses and Other Issues Related to the Reimbursement of Broadcaster Channel Reassignment Costs*, GN Docket No. 12-268, Public Notice, 28 FCC Rcd 13787 (MB 2013); *Media Bureau Seeks Comment on Widelity Report and Catalog of Potential Expenses and Estimated Costs*, GN Docket No. 12-268, Public Notice, 29 FCC Rcd 2989 (MB 2014). See also *Media Bureau Finalizes Reimbursement Form for Submission to OMB and Adopts Catalog of Expenses*, GN Docket No. 12-268, Public Notice, 30 FCC Rcd 11701 (MB 2015); *Media Bureau Seeks Comment on Updates to Catalog of Reimbursement Expenses*, MB Docket

WPUFD4 series.⁶

On May 9, 2019, the 2018 PPI annual average for the WPUFD4 series became final.⁷ Accordingly, the Catalog's prices have been updated using the 2018 PPI annual average for the WPUFD4 series, to reflect the 2.8 percent increase from the 2017 PPI average value previously included in the Catalog.⁸ The updated price ranges for the equipment and services listed in the Catalog are set forth in the updated version of the Catalog appended to this public notice,⁹ and are integrated into Form 399 in the Bureau's Licensing and Management System.¹⁰

This update does not require any action on the part of reimbursement-eligible broadcasters and MVPDs. The updated prices for the equipment and services identified in the Catalog will be reflected in the "Costs" section of the Form 399 as the "predetermined cost estimate." The adjusted values may be entered into the "estimated cost" field of the Form 399 for newly-created cost estimates that are not accompanied by a vendor quote.¹¹

For questions about the reimbursement process, please call the Reimbursement Help Line at (202) 418-2009, or e-mail Reimburse@fcc.gov. Questions about this Public Notice may be directed to Dana Leavitt at (202) 418-1317 or Dana.Leavitt@fcc.gov, or Jeffrey Neumann at (202) 418-2046 or Jeffrey.Neumann@fcc.gov, of the Media Bureau. Press contact: Neil Grace, (202) 418-0506 or Neil.Grace@fcc.gov.

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No. 16-306, GN Docket No. 12-268, Public Notice, 31 FCC Rcd 11467 (MB 2016) (proposing to update the Catalog's costs annually using the BLS' PPI annual average for the WPUFD4 series.).

⁶ *Catalog Finalization PN*, 32 FCC Rcd 1199.

⁷ The 2018 PPI annual average for the WPUFD4 series was subject to revision until final publication of the December 2018 revised data for the WPUFD4 series, on May 9, 2019. *See BLS Handbook of Methods*, Chapter 14: Producer Prices, p. 13, <https://stats.bls.gov/opub/hom/pdf/homch14.pdf> (last visited June 6, 2019) (providing, "All PPIs are routinely subject to revision 4 months after their original publication, to reflect late reports and corrections reported by company respondents. Once revised, unadjusted indexes are considered final.").

⁸ *See* Bureau of Labor Statistics, U.S. Department of Labor, *Data Tools: PPI Commodity Data: Final demand - WPUFD4*, <http://data.bls.gov/cgi-bin/surveymost?wp> (last visited June 6, 2019).

⁹ *See* Appx., Catalog (2019 Update).

¹⁰ The updated Catalog will also be made available for reference on the Commission's reimbursement-specific webpage, which is: <https://www.fcc.gov/incentiveauctions/reimbursement>.

¹¹ If the cost estimate entered has an associated vendor quote, entities would enter the amount identified in the quote in the "estimated cost" field of the Form 399 rather than using the Catalog cost. We note, however, that all entities will ultimately have to submit a vendor invoice when seeking reimbursement for equipment costs actually incurred.