



July 19, 2017

Michelle Carey
Chief, Media Bureau
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Re: Request to Suspend December 1, 2017 Ownership Report Filing Deadline, MB
Docket Nos. 07-294 & 10-103, MD Docket No. 10-234

Dear Ms. Carey:

Under current rules, all commercial and noncommercial radio and television licensees, as well as attributable interest holders in those licensees, must file ownership reports by December 1 in odd-numbered years.¹ Given numerous recent proposals to change the frequency of ownership reporting, and the continuing migration of Ownership Reports to the Licensing and Management System (LMS), NAB requests that the Commission suspend the biennial filing currently due on December 1, 2017, until these issues have been resolved.

Section 73.3615 requires broadcast licensees and attributable interest holders in those entities to file Ownership Reports every two years; within 30 days of consummating assignments or transfers of permits and licenses; and in connection with the FCC's grant of a station's original construction permit and with the permittee's application for a station license. The detailed information required to be submitted by so many entities and individuals makes the gathering of information for, and the filing of, Ownership Reports burdensome and time-consuming, especially for any licensees, including smaller ones, with multi-level ownership structures and multiple attributable interest holders. As NAB has explained, the costs in terms of broadcaster time and attorneys' fees exceed the benefits gained from overly frequent reporting, especially from mandated biennial reporting when

¹ 47 C.F.R. § 73.3615. The Ownership Report for Commercial Broadcast Stations is Form 2100, Schedule 323, and the Ownership Report for Noncommercial Stations is Form 2100, Schedule 323-E (collectively, Ownership Reports). See Report and Order, Second Report and Order, and Order on Reconsideration, MB Docket Nos. 07-294 & 10-103, MD Docket No. 10-234 (2016) (adopting current Ownership Report forms and making other changes to ownership reporting requirements).

there has been no change in ownership affecting control of a licensee.² NAB and numerous radio and TV broadcasters therefore have proposed that broadcasters be required to submit Ownership Reports only upon initial licensing and upon assignments or transfers of permits and licenses or, in the alternative, have asked the FCC to require ownership reporting no more frequently than every four years.³

NAB and radio and TV licensees also have urged the FCC to ensure that the on-going migration of Ownership Reports to the LMS is successful, and addresses the serious issues previously identified with the revised version of the Ownership Reports in the Consolidated Database System (CDBS).⁴ To ensure a smooth rollout of the LMS version, broadcasters agree that the Commission needs to provide time for broadcasters to test the new version and give feedback about problems, which the FCC should address prior to requiring broadcast stations to utilize the LMS version of the Ownership Reports, even if that means delaying the biennial filing currently scheduled for December 1, 2017.⁵

Given the continuing transition of the Ownership Reports to a new online system and the pending proposals for reducing the frequency of ownership reporting, NAB requests that the Commission suspend the biennial filing due on December 1, until it addresses broadcasters' proposals and successfully completes the migration of the Ownership Reports to the LMS. This approach will avoid repetition of the serious problems that marred the transition of the Ownership Reports to the CDBS in 2009-2010, and will provide time for the Commission to reexamine its ownership reporting rules before imposing unnecessary burdens on commercial and noncommercial broadcasters.

Respectfully submitted,



Rick Kaplan
General Counsel and Executive Vice President
Legal and Regulatory Affairs

² Comments of NAB, MB Docket No. 17-105, at 14-16 (July 5, 2017) (discussing the difficulties broadcasters face in even obtaining required information from attributable entities and individuals and the personnel and financial burdens of completing Ownership Reports) (NAB 2017 Comments).

³ See, e.g., NAB 2017 Comments at 17; Comments of America's Public Television Stations, Corp. for Public Broadcasting, Nat'l Public Radio, Inc. and Public Broadcasting Service, at 14 (July 5, 2017); Comments of Alpha Media LLC, *et al.* at 4-5 (July 5, 2017) (Joint Radio Comments); Comments of Nexstar Broadcasting, Inc., at 3-6 (July 5, 2017).

⁴ See, e.g., Comments of NAB, MB Docket No. 07-294, at 9-10 (Feb. 14, 2013); NAB Reply Comments, MB Docket No. 10-103, at 5-9 (Sept. 13, 2010); NAB Comments, MB Docket No. 07-294, OMB Cntl. No. 3060-0010, at 12-13 (Sept. 10, 2009); Comments of Wiley Rein LLP, OMB Cntl. No. 3060-0010, at 5-8, Fig. 1 & 2 (Sept. 10, 2009).

⁵ See NAB 2017 Comments at 15-16; Nexstar Comments at 5; Joint Radio Comments at 5.