

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Parts 0, 1, 5, 73, and 74 of the	)	
Commission's Rules Regarding Posting of	)	MB Docket No. 18-121
Station Licenses and Related Information	)	
	)	
Modernization of Media Regulation Initiative	)	MB Docket No. 17-105

**COMMENTS OF NEXSTAR BROADCASTING, INC.**

Nexstar Broadcasting, Inc. ("Nexstar"), the licensee of 158 full-power and Class A and 95 translator and low power television stations, respectfully submits these comments in response to the Federal Communications Commission's ("FCC" or "Commission") Notice of Proposed Rulemaking in the above-captioned proceeding.<sup>1</sup> The FCC proposes to streamline or eliminate certain rules pertaining to the "posting and maintenance of broadcast licenses and related information in specific locations."<sup>2</sup> As disclosed in the *NPRM*, and under the Commission's current rules, all broadcast stations must:

- (a) The station license and any other instrument of station authorization shall be posted in a conspicuous place and in such a manner that all terms are visible at the place the licensee considers to be the principal control point of the transmitter.
- (b) Posting of the station license and any other instruments of authorization shall be done by affixing them to the wall at the posting location, or by enclosing them in a binder folder which is retained at the posting location so that the documents will be readily available and easily accessible.<sup>3</sup>

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<sup>1</sup> *Amendment of Parts 0, 1, 5, 73, and 74 of the Commission's Rules Regarding Posting of Station Licenses and Related Information*, Notice of Proposed Rulemaking, MB Docket No. 18-121, FCC 18-61 (rel. May 10, 2018) ("*NPRM*").

<sup>2</sup> *NPRM* at ¶ 1.

<sup>3</sup> *Id.*

These posting obligations were originally established by the Federal Radio Commission in 1930<sup>4</sup>, almost a decade before the main studio rule was created.<sup>5</sup> In addition, under the rule, the posting requirements state that certain operational licenses must be posted “in the room the transmitter is located” and “shall be done by affixing the license to the wall at the posting location.”<sup>6</sup> However, as the Commission acknowledges, “most stations have transitioned to dial-up or IP systems that enable them to manage transmitters remotely from a smartphone or personal computer...[which renders] the ‘principal control point’[ ] obsolete.”<sup>7</sup> Moreover, with the elimination of the main studio rule and its brick and mortar main studio building, the physical act of “posting” licenses may no longer be possible since there may literally not be a wall to which to tape the licenses.

Therefore, while the posting rule may have made sense almost 90 years ago, this requirement is absolutely outdated today when most information, including the FCC’s broadcast licensing and contact information, is readily available online and can be accessed 24/7 from any mobile device, computer, laptop or smart TV with an internet connection. Further, as a result of the disappearance of main studios and manned control points, the public has limited on location access to review paper versions of main station or other operational licenses (i.e. broadcast auxiliary licenses authorized under Part 74).<sup>8</sup>

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<sup>4</sup> *NPRM* at ¶ 4.

<sup>5</sup> *Elimination of Main Studio Rule*, 32 FCC Rcd 8158 (2017) (stating, “The Commission first adopted main studio requirements in 1939 to ensure that community members could provide their local broadcast stations with input and that stations could participate in community activities. The record in this proceeding clearly demonstrates that a local main studio is no longer needed to fulfill these purposes” and “...the need for community members to visit a station’s local main studio to access its public inspection file is quickly becoming a relic of the past.”).

<sup>6</sup> See 47 CFR § 74.664.

<sup>7</sup> *NPRM* at ¶ 8.

<sup>8</sup> See 47 CFR §§ 74.400 – 74.882.

In addition, in the absence of a main studio or manned control point, a requirement to post the licenses to the exterior of the transmitter building, the surface of a tower, or on the fencing surrounding either structure is an ineffective and potentially dangerous method to inform the public. Nexstar believes that inviting the public to review license information at an unmanned technical facility (i.e. transmitter building, control point or tower), complete with high voltage equipment and regardless of enclosure, is a potential public safety hazard. Public safety also is a consideration for eliminating the current booster, translator and LPTV station posting requirements set forth in 47 CFR § 74.765, which requires the “name and address of a person” or more specifically, the “custodian of records” to be displayed on the associated transmitter or tower.<sup>9</sup> Because these records are available online and readily accessible to the Commission’s multiple databases, which also include the licensing and contact information for full power, Class A, LPTV, translators and booster stations, the existing posting requirements for these stations should be immediately eliminated by the Commission.

Eliminating the existing posting obligations will serve the public interest by reducing unnecessary and burdensome obligations on stations that serve no viable public interest. In addition, the elimination of these rules advances the Commission’s ongoing efforts to modernize the media regulations.

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<sup>9</sup> *NPRM* at ¶ 10.

For the foregoing reasons, the Commission should eliminate the outdated and unnecessary license posting obligations.

Respectfully submitted,

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