

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	MB Docket No. 14-226
Amendment of Section 73.1216 of the	)	
Commission’s Rules Related to Broadcast	)	RM-11684
Licensee-Conducted Contests	)	

**REPLY COMMENTS OF THE  
VIRGINIA ASSOCIATION OF BROADCASTERS,  
OHIO ASSOCIATION OF BROADCASTERS, AND  
NORTH CAROLINA ASSOCIATION OF BROADCASTERS**

The Virginia Association of Broadcasters, Ohio Association of Broadcasters, and North Carolina Association of Broadcasters (collectively, the “Associations”), through their attorneys, hereby file these reply comments in response to various comments filed in the above-captioned matter.<sup>1</sup> Each of the Associations filed comments in an earlier iteration of this proceeding<sup>2</sup> on December 19, 2012, and as part of the Named State Broadcasters Associations that filed Joint Comments in response to the Notice on February 18, 2015.

For all the reasons set forth in their previously filed comments and those set forth below, the Associations enthusiastically support the portion of the Commission’s proposed rule change that would allow broadcast stations to direct listeners and viewers to contest rules posted to a publicly-available website in lieu of the current, mandatory on-air recitation of all “material terms” of each station-conducted contest. The Associations are filing these reply comments to address only the narrow issue of the Commission’s proposal that stations be required to disclose

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<sup>1</sup> *Amendment of Section 73.1216 of the Commission’s Rules Related to Broadcast Licensee-Conducted Contests*, Notice of Proposed Rulemaking, 29 FCC Rcd 14185 (2014) (“Notice”).

<sup>2</sup> *See Entercom Communications Corp.*, Petition to Amend Section 73.1216 Licensee-Conducted Contests, Public Notice, Report No. 2969, RM No. 11684 (Nov. 28, 2012).

to listeners and viewers the specific (“direct” or “pinpoint”) webpage address to access a contest’s material terms.<sup>3</sup>

Commenters agree that allowing stations to meet their contest disclosure requirements by posting the material terms to station websites is a logical and appropriate extension of the Commission’s existing approach to the use of station websites to meet broadcast regulatory obligations.<sup>4</sup> As the Commission, itself, has observed, the “evolution of the Internet and the spread of broadband infrastructure have transformed the way society accesses information today” which has, in turn, made “[t]he Internet . . . an effective, low-cost means of maintaining contact with, *and distributing information to*, viewers and listeners.”<sup>5</sup>

Thus, the Associations agree with commenters who have observed and demonstrated that radio listeners and television viewers are accustomed to interacting with broadcast stations through station websites.<sup>6</sup> Television and radio station website addresses have for years been part of the on- and off-air “brands” of many local stations, leading to a broad public awareness of local station websites. Website homepage addresses are routinely referenced on the air, in station logos, and in other media. Consumers are also easily able to locate station websites through Internet search engines. Accordingly, now more than ever, station websites serve as an

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<sup>3</sup> See *Notice* at ¶ 13 (proposing to require stations who use the website disclosure option to announce the URL address of the specific webpage hosting the material terms).

<sup>4</sup> See, e.g., Comments of NAB, pp. 2-4 (filed Feb. 18, 2015); Comments of iHeartMedia, Inc. at 6-7 (filed Feb. 18, 2015).

<sup>5</sup> *Expansion of Online Public File Obligations to Cable and Satellite TV Operators and Broadcast and Satellite Radio Licensees*, Notice of Proposed Rulemaking, 29 FCC Rcd 15943 (2014) at ¶¶ 14, 15 (emphasis added).

<sup>6</sup> See, e.g., Comments of National Public Radio, Inc. at 2 (filed Feb. 18, 2015); Comments of Hubbard Broadcasting, Inc. at 3 (filed Feb. 18, 2015).

important complement to broadcast station operations and an integral part of the way stations and their audiences communicate with each other.<sup>7</sup>

Commenters that have addressed the issue of which URL address stations should be required to disclose on-air (i.e., the website homepage or the URL address of the specific page hosting the rules) uniformly agree that a station's homepage URL address should suffice and will, in fact, better serve the purposes underlying Section 73.1216 than a pinpoint webpage address would.<sup>8</sup> The Associations agree.

Indeed, announcement of a short, branded home page URL address makes more sense than announcement of a lengthy URL address containing backslashes and potentially unusual characters<sup>9</sup> because the short home page address is almost always more memorable and understandable, which are two qualities that will better facilitate the public's availability to remember and visit it.

Significantly, the Commission's own rules *already recognize the logic and simplicity of using a website home page URL address instead of a pinpoint webpage URL address during mandatory on-air announcements directed to consumers*. When the Commission adopted the television online public inspection file rules in 2012, a corresponding revision was simultaneously made to Rule Section 73.3580,<sup>10</sup> which is the rule governing local public notices required for certain broadcast applications. Prior to the television online public file system,

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<sup>7</sup> See, e.g., Comments of Entercom Communications Corp. at 2 (filed Feb. 17, 2015); Comments of National Public Radio, Inc. at 2 (filed Feb. 18, 2015); Joint Comments of Beasley Media Group, Inc., et al. at 3 (filed Feb. 18, 2015).

<sup>8</sup> See, e.g., Comments of Entercom Communications Corp. at 7-8 (filed Feb. 17, 2015); Comments of iHeartMedia, Inc. at 14-15 (filed Feb. 18, 2015).

<sup>9</sup> See, e.g., Comments of iHeartMedia, Inc. at 14 (filed Feb. 18, 2015).

<sup>10</sup> 47 C.F.R. § 73.3580.

Section 73.3580 required television station renewal pre- and post-filing on-air announcements to advise the viewing public that a copy of the station’s renewal application was available at the station’s studio. When the television online public file system was implemented, the Commission revised Section 73.3580 so that the required on-air renewal announcements for television stations would direct viewers to visit “www.fcc.gov” to access a copy of the filed renewal application.<sup>11</sup> In other words, the Commission determined that *directing viewers to the Commission’s home page URL address* was sufficient to permit the public to find and access each television station’s renewal application. The “pinpoint” URL address for a webpage in the station’s online public file or in the Media Bureau’s Consolidated Database System (“CDBS”) was not—and is not—required to be provided in these renewal on-air announcements.

The Associations agree with the approach taken in Section 73.3580 and encourage the Commission to treat the contest on-air announcement requirements in a similar fashion. Indeed, most station websites are far less complex than the Commission’s own website and have far fewer pages through which to navigate to locate information and resources. Such an approach would allow stations to advise the public to visit the station’s homepage URL address in order to access a copy of the material terms (or official rules) of the contest and would not require stations to use a “pinpoint” webpage URL address in such on-air announcements.<sup>12</sup>

Finally, anecdotal data suggests that members of the public are already well-versed in finding contest information on station websites in any event. Although the Associations have not

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<sup>11</sup> See 47 C.F.R. 73.3580(d)(4)(i-ii) (requiring license renewal pre- and post-filing on-air announcements to include, *inter alia*, the following sentences, respectively: “When filed, a copy of this application will be available for public inspection at www.fcc.gov.” and “A copy of this application is available for public inspection at www.fcc.gov.”).

<sup>12</sup> If a station *wants* to use a pinpoint webpage URL address, the station should not be prohibited from doing so; the Associations believe that stations should have both options available.

