



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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## REVISED FCC FORMS 301, 314, AND 315 APPROVED AND AVAILABLE FOR USE; MEDIA BUREAU ANNOUNCES END TO FREEZE ON THE FILING OF FORMS 301, 314, AND 315 FOR COMMERCIAL RADIO STATIONS

The following revised forms have been approved for use by the Office of Management and Budget (“OMB”):

- **FCC 301**, Application for Construction Permit for Commercial Broadcast Station (September 2004 Edition)
- **FCC 314**, Application for Consent to Assignment of Broadcast Station Construction Permit or License (September 2004 Edition)
- **FCC 315**, Application for Consent to Transfer Control of Entity Holding Broadcast Station Construction Permit or License (September 2004 Edition)

Today, the Commission is publishing notice of OMB’s approval of these forms in the *Federal Register*. The forms implement the *Prometheus Rehearing Order*<sup>1</sup> of the United States Court of Appeals for the Third Circuit granting in part the Commission’s request to partially lift the Court’s stay to permit certain of the new ownership rules to go into effect. Accordingly, the Media Bureau is lifting the temporary freeze on the filing of commercial radio station Forms 301, 314, and 315 applications and amendments.

The revised forms are effective immediately for all radio and television station applicants. The forms are now available and may be accessed through the Media Bureau’s Consolidated Database System (CDBS). This system enables the public to complete and file these forms via the Internet from the Media Bureau’s Web Site, <http://www.fcc.gov/mb/elecfile.html>. Electronic filing is mandatory for these three forms.

*Applications Filed on June 2002 Versions of Forms 301, 314, and 315.* All pending commercial radio station applications filed on the June 2002 versions of these forms must be amended to demonstrate compliance with the new local radio ownership rules or to request a waiver of these rules. Pending commercial television station applications also must be amended to demonstrate compliance with the joint radio-television ownership rule if the applicant also holds an attributable interest in any radio stations in the same market. Amendments and waiver requests must be submitted within 30 days of the release of this *Public Notice*. The failure to submit a waiver request for an application that does not comply with the new rules will result in the application’s dismissal. All applications will retain originally assigned file numbers.

<sup>1</sup> *Prometheus Radio Project, et al. v. FCC*, No. 03-3388 (3d Cir. Sept. 3, 2004) (“*Prometheus Rehearing Order*”).

*Section 1.65 Amendments.* The Bureau waives Section 1.65 of the rules to permit the filing of amendments to previously frozen applications. Amendments concerning significant and substantial changes in the information furnished in these applications must be filed within two weeks of the release of this *Public Notice*.

*AM Auction No. 84 Singleton Applications.* The deadlines established by the Media Bureau for the filing of certain singleton applications and petitions to deny these applications are unchanged.<sup>2</sup>

*Radio Joint Sales Agreements (“JSAs”).* JSAs are now attributable. A party with an existing, attributable JSA in an Arbitron Metro will be required to file a copy of the JSA with the Commission within 60 days of the September 3, 2004 release date of the *Prometheus Rehearing Order*.<sup>3</sup> The Commission is currently seeking OMB approval to implement this new filing requirement. The Bureau will issue a *Public Notice* following receipt of this approval and provide additional filing information at that time.

Action by the Chief, Media Bureau. For further information, contact Peter H. Doyle or Nina Shafran of the Audio Division, Media Bureau, at (202) 418-2700, or Barbara Kreisman or Jim Brown of the Video Division, Media Bureau, at (202) 418-1600.

#### **FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT**

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it has approval from the Office of Management and Budget for the collection(s) of information contained in FCC Forms 301, 314, and 315.

The OMB Control Numbers are: 3060-0027 (FCC Form 301, September 2004), 3060-0031 (FCC Form 314, September 2004), and 3060-0032 (FCC Form 315, September 2004). The annual reporting burden for each of these collection(s) of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data and completing and reviewing the collection of information, are estimated to be: FCC Form 301: 3247 respondents, 2 to 4 hours per annum, for a total annual burden of 8380 hours, and \$44,630,900 in total annual costs; FCC Form 314: 2225 respondents, 1 to 2 hours per annum, for a total annual burden of 3990 hours, and \$16,017,630 in total annual costs; and FCC Form 315: 2225 respondents, 1 to 2 hours per annum, for a total annual burden of 3990 hours, and \$16,017,630 in total annual costs. If you have any comments on these burden estimates, or how we can improve the collection(s) and reduce the burden(s) they cause you, please write to Les Smith, Federal Communications Commission, Room 1-A804, 445 12<sup>th</sup> Street, SW, Washington, D.C. 20554. Please include the OMB Control Number(s): 3060-0027, 3060-0031, and/or 3060-0032, in your correspondence. We will also accept your comments regarding the Paperwork Reduction Act aspects of the collection(s) via the Internet if you send them to [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov) or call (202) 418-0217.

Under 5 CFR Section 1320, an agency may not conduct or sponsor a collection of information unless it displays a current valid OMB Control Number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid OMB Control Number. The OMB Control Numbers are 3060-0027 (FCC Form 301), 3060-0031 (FCC Form 314), and 3060-0032 (FCC Form 315).

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

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<sup>2</sup> See *AM Auction No. 84 Singleton Applications, Public Notice*, DA 04-2683 (M. B. rel. Aug. 26, 2004).

<sup>3</sup> See *2002 Biennial Regulatory Review*, 18 FCC Rcd 13620, 13746 (2003) (subsequent history omitted).