



PUBLIC NOTICE

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FCC COMMENCES ACCEPTING APPLICATIONS FOR ON-CHANNEL DIGITAL CONVERSION OF LOW POWER TV AND TV TRANSLATOR STATIONS AND ANNOUNCES AVAILABILITY OF REVISED APPLICATION FORMS 346 AND 301-CA

In the *Report and Order* establishing rules and policies for digital low power television (LPTV) and television translator stations, the Commission provided for the on-channel digital conversion of existing stations following the effective date of the rule changes in the proceeding and approval of revisions to the related application forms.¹ All of the rules and forms outlined in the *Report and Order* have received the approval of the Office of Management and Budget (OMB) and are now in effect. The February 2005 versions of FCC Forms 346 and 301-CA supersede the previous versions.

Applications for Digital On-Channel Conversion

Effective immediately, LPTV and TV translator station licensees and permittees may file a minor facilities change application for an on-channel digital conversion of their currently authorized analog facilities (a “flash-cut” application). Such applications may be filed at any time. LPTV and TV translator stations seeking an on-channel digital conversion must electronically-file FCC Form 346. Class A TV stations were previously granted the authority to submit on-channel digital conversion applications and may continue to do so by electronically-filing FCC Form 301-CA.²

Where and How to File: Applicants must file the February 2005 versions of FCC Form 346 or 301-CA applications *electronically* through the Media Bureau’s Consolidated Database System (CDBS) online electronic forms system. Instructions for use of the electronic filing system are available in the CDBS User’s Guide, which can be accessed from the electronic filing web site at:

<http://www.fcc.gov/mb/elecfile.html>

The Guide can be accessed by clicking on the CDBS link at the electronic filing web site, above. This action will take the user to the Media Bureau’s CDBS Electronic Filing System site. The user should then

¹ See *Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television, Television Translator and Television Booster Stations and to Amend Rules for Digital Class A Television Stations*, 19 FCC Rcd 19331 (2004) (*Report and Order*). http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-04-220A1.pdf.

² See *Establishment of Class A Television Service*, 15 FCC Rcd 6355 (2000).

click on the “Go to CDBS User’s Guide” link. Internet access to the CDBS online electronic forms filing system requires, at a minimum, a browser such as Netscape version 3.04 or Internet Explorer version 3.51, or later. For assistance with electronic filing, call the CDBS Help Desk at (202) 418-2662.

The staff will return applications not submitted in accordance with the procedures described above.³

Future Companion Digital Channel Window

As set forth in the *Report and Order*, LPTV, TV translator and Class A TV licensees and permittees will be offered an opportunity in the future to submit applications for companion digital channels. **For each station that seeks digital operation, the licensee or permittee must choose between an on-channel digital conversion of its analog station or operating a companion digital LPTV or TV translator station.** Any station that has a license, construction permit, or pending application for on-channel digital conversion will not be eligible to submit an application for companion digital channel for the same station, and any such companion digital channel application will be dismissed. The companion digital channel window will be announced in the near future.

Minor Change Rule

We remind applicants that applications for digital on-channel conversion will be treated as minor change applications provided they meet the definition of “minor change” set forth in Section 74.787(b)(1)-(2) of the rules.⁴ That rule states that major change applications include any change in the frequency (output channel) not related to displacement relief or transmitting antenna location where the protected contour resulting from the change does not overlap some portion of the protected contour of the authorized facilities of the existing station. Other facilities changes will be considered minor.

If you have any questions, please contact Shaun Maher, Video Division, Media Bureau at 202-418-1600.

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³ Applicants are also reminded that the Commission’s “red light rule” implementing the Debt Collection Improvement Act has recently become effective. 47 C.F.R. § 1.1910. Under the red light rule, the Commission will not process applications and other requests for benefits that are filed by parties that have outstanding debts owed to the Commission. *Id.*

⁴ 47 C.F.R. § 74.787(b)(1)-(2).