



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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MEDIA BUREAU ANNOUNCES 2009 BIENNIAL FILING DEADLINE FOR COMMERCIAL BROADCAST OWNERSHIP REPORT (FORM 323)

MB Docket No. 07-294, et al.

Filing Deadline: December 15, 2009

On October 2, 2009, the Media Bureau extended the initial November 1 biennial filing date for the new Form 323 and stated that when the Commission received approval from the Office of Management and Budget (“OMB”) for the revised Form 323 (Control Number 3060-0010), the Media Bureau would issue a Public Notice establishing a filing date that would be no earlier than 30 days after the date of public notice of OMB approval. The Bureau stated that the date as of which information submitted on the revised Form 323 is to be current would be November 1, 2009.¹

On October 19, 2009, OMB approved the proposed revisions to Form 323 adopted as a result of the *323 Order* and the Commission’s reconsideration of that *Order*.² Subsequently, on October 30, 2009, the Commission published in the Federal Register a notice of approval of the new form by OMB, with an effective date for the new form of October 30, 2009.³ Accordingly, the biennial filing deadline for licensees and other entities required to file FCC Form 323 shall be **December 15, 2009**. Filers do not have to wait until December 15, 2009 but may file Form 323 on any day between the date the form will be available on CDBS, on or about November 16, 2009, and December 15, 2009 and are encouraged to do so well in advance of the final filing

¹ See *Promoting Diversification in the Broadcasting Services*, Order, DA 09-2165 (rel. Oct. 2, 2009). See also, Memorandum Opinion and Order and Fifth Further Notice of Proposed Rulemaking, FCC 09-92, ¶ 3 (rel. Oct. 16, 2009). The extension applies only to biennial filings of the revised Form 323 and does not apply to any other required filings of the existing Form 323 or to any required filings of Form 323-E. The Bureau noted that the filing deadline extension and the November 1 cut-off date for ownership data will apply only to the initial biennial filings. Beginning with the 2011 filing, the form must be filed no later than November 1 with data current as of October 1 of the filing year.

² Report and Order and Fourth Further Notice of Proposed Rulemaking, MB Docket No. 07-294, 24 FCC Rcd 5896 (2009), *recon. granted in part*, Memorandum Opinion and Order and Fifth Further Notice of Proposed Rulemaking, FCC 09-92 (rel. Oct. 16, 2009).

³ 74 Fed. Reg. 56,135 (Oct. 30, 2009); 74 Fed. Reg. 56,136 (Oct. 30, 2009).

date.

We have received numerous inquiries about the new form and questions on electronic filing capabilities. In order to ease the transition to the use of the new form and help answer questions about completing the form and the filing process, the Bureau plans to initiate a website containing information regarding Form 323. We plan to post on that website, Frequently Asked Questions, with responses that will be updated continually throughout the biennial filing period, so that we may respond to issues that arise with respect to completing the form. Please submit all questions to Form323@fcc.gov.

Press inquiries should be directed to Janice Wise, (202) 418-8165.

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