



# PUBLIC NOTICE

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## MEDIA BUREAU ANNOUNCES AVAILABILITY OF 2009 BIENNIAL OWNERSHIP DATA SET FOR COMMERCIAL BROADCAST LICENSEES

### MB Docket No. 07-294, et al.

Today the Media Bureau released a separate data set comprised of all ownership reports filed in response to the 2009 biennial ownership filing requirement. These data are the first available that reflect the significant revisions to the ownership reporting form, FCC Form 323, intended to substantially improve the completeness, accuracy, reliability and usability of ownership data. This data set also represents the first “snapshot” of broadcast ownership data in a series of planned, biennial “snapshots” that should collectively provide a reliable basis for analyzing ownership trends in the industry, including ownership by minorities and women. The revised form and data collection respond to the Commission’s May 2009 *323 Order*,<sup>1</sup> which sought to improve the availability of ownership information related to diversity.

The revised FCC Form 323 enlarged the class of stations obligated to file biennially by requiring all full power commercial broadcast stations and all lower power television stations, including Class A stations, to file. The new form also eliminated the exemption from the biennial reporting requirement that applied to sole proprietorships and partnerships of natural persons that are licensees of commercial broadcast stations. It also established a single, uniform filing date, and required all attributable interest holders to obtain unique FCC Registration Numbers to facilitate cross-referencing of ownership interests.<sup>2</sup> This first data set reflects ownership interests as of November 1, 2009.<sup>3</sup>

The separate data files for the 2009 biennial filing are available on the Media Bureau’s Form 323 website at <http://www.fcc.gov/form323>. In addition to the ownership information, the

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<sup>1</sup> See *Promoting Diversification of Ownership in the Broadcasting Services*, MB Dkt. No. 07-294, et al., Report & Order and Fourth Further Notice of Proposed Rulemaking, 24 FCC Rcd 5896, 5908, ¶ 20 (2009) (“*323 Order*”).

<sup>2</sup> See *323 Order*, 24 FCC Rcd 5896; *Promoting Diversification of Ownership in the Broadcasting Services*, MB Dkt. No. 07-294, et al., Memorandum Opinion & Order and Fifth Further Notice of Proposed Rulemaking, 24 FCC Rcd 13040, 13043, ¶¶ 1, 8 (2009).

<sup>3</sup> The filing deadline was extended from November 1, 2009 to July 8, 2010 so the Bureau could make additional updates to the form based on concerns raised with the initial version released. See Public Notice, *Media Bureau Announces Revised Form 323 Will Be Available Online on April 9, 2010, and Sets New Filing Deadline of July 8, 2010*, 25 FCC Rcd 3595(MB 2010).

noted links include files describing the data and providing instruction on accessing it to permit interested parties to further analyze and manipulate the data.

Complete current and historic biennial and other ownership information continues to be available on the Commission's Consolidated Database System (CDBS). They can be downloaded directly from the Commission's CDBS website at <http://www.fcc.gov/mb/databases/cdbs>.

Because the 2009 biennial reporting cycle imposed new filing requirements and because the filing obligation was extended to classes of stations and licensees previously exempt from reporting, not all licensees and attributable interest holders obliged to file 2009 biennial Form 323 ownership reports did so. We list here the number of stations by category that did not file data, including those that were not required to file data, to assist researchers and other users of the data.<sup>4</sup> The station counts below are as of February 22, 2011.

- 511 of the total 11,269<sup>5</sup> full power commercial AM and FM broadcast radio stations.
- 23 of the total 1,392 full power commercial television stations.
- 1146 of the total 2,923 Low Power Television stations, including Class A stations.
- 479 of the total 15,584 broadcast stations that received waivers of the biennial filing requirement because the stations were transferred or assigned between November 1, 2009 and June 23, 2010.<sup>6</sup>
- 169 AM broadcast stations that operate as noncommercial stations.<sup>7</sup>

For further information or to report problems downloading the data, please contact Judith Herman, Industry Analysis Division, (202) 418-2330, or Hossein Hashemzadeh, Video Division, (202) 418-1600. Press inquiries should be directed to Janice Wise, (202) 418-8165.

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<sup>4</sup> The Bureau continues to seek reports from non-filers that have not been granted a waiver and the data automatically will be updated on a daily basis as it is received via CDBS.

<sup>5</sup> The broadcast station totals included in this section are found at [http://fjallfoss.fcc.gov/edocs\\_public/attachmatch/DOC-296538A1.pdf](http://fjallfoss.fcc.gov/edocs_public/attachmatch/DOC-296538A1.pdf).

<sup>6</sup> See Public Notice, *Media Bureau Clarifies 2009 Biennial Filing Requirements for Ownership Report (Form 323)*, 25 FCC Rcd 7986 (MB 2010).

<sup>7</sup> These stations file a Form 323-E ownership report and not a Form 323. Therefore, those stations are not included in the 323 ownership data.