



PUBLIC NOTICE

Federal Communications Commission
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Media Bureau Announces Requirement to File Certain Television Joint Sales Agreements

Filing Deadline: November 28, 2014

On April 15, 2014, the Commission released a Report and Order in the *2014 Quadrennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*.¹ In the *Report and Order*, the Commission adopted an attribution rule for television joint sales agreements (“JSAs”), establishing that same-market television JSAs for more than 15 percent of the weekly advertising time for the brokered station are to be counted toward the brokering station’s ownership totals. In addition, subject to the approval of the Office of Management and Budget (“OMB”), the Commission held that commercial television stations that are party to an attributable JSA must now file a copy of the agreement with the Commission pursuant to section 73.3613 of the Commission’s rules.² Parties to attributable television JSAs existing at the release of the *Report and Order* and parties to attributable television JSAs entered into after the release of the *Report and Order* but before the filing requirement becomes effective are required to file a copy of such agreements with the Commission within 30 days after the filing requirement becomes effective. Going forward, attributable television JSAs must be filed with the Commission within 30 days after the JSA is entered into, pursuant to 47 C.F.R. § 73.3613.³

Today, the Commission published notice of OMB’s approval of the JSA filing requirements.⁴ The notice set the effective date of the filing requirement as today, October 28, 2014. Accordingly, parties to existing television JSAs, as described above, must file such agreements with the Commission by November 28, 2014, and parties that enter into such JSAs in the future must file the JSAs with the Commission within 30 days after execution.

We also remind all commercial broadcast television stations of their continuing obligation to place copies of all current JSAs into their local public inspection file, pursuant to 47 C.F.R. §

¹ Further Notice of Proposed Rule Making and Report and Order, MB Docket No. 14-50, 29 FCC Rcd 4371, 4527-45, ¶¶ 340-72 (2014) (“*Report and Order*”).

² 47 C.F.R. § 73.3613.

³ *Report and Order*, 29 FCC Rcd at 4541-42, ¶ 366.

⁴ *2014 Quadrennial Regulatory Review*, 79 Fed. Reg. 64124 (Oct. 28, 2014).

73.3256(e)(16).⁵ This is a distinct requirement from a party's obligation to file with the Commission copies of any attributable JSA. A station's public inspection file obligation extends to all JSAs.⁶

For additional information on this proceeding, contact Hillary DeNigro, Hillary.DeNigro@fcc.gov, or Benjamin Arden, Benjamin.Ardens@fcc.gov, of the Industry Analysis Division, Media Bureau, at (202) 418-2330. For additional information on the public file requirement, contact Evan Morris at Evan.Morris@fcc.gov or the Video Division, Media Bureau, at (202) 418-1656. Press inquiries should be directed to Janice Wise, (202) 418-8165. TTY: (202) 418-7172 or (888) 835-5322.

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⁵ JSAs must be placed in a station's public file regardless of whether the station is the brokering or brokered station, or whether the agreement involves a station in the same or different market. A copy must be retained in the station's public file for the term of the agreement. The Commission adopted rules requiring all full power television licensees to place certain elements of their physical public file into an electronic public file hosted on a Commission website. This includes uploading to a station's electronic public file a copy of any current JSA. *Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations, Extension of the Filing Requirement for Children's Television Programming Report*, MM Docket No. 00-168, Second Report and Order, 27 FCC Rcd 4535, 4540 (2012); 47 C.F.R. § 73.3526(b)(2).

⁶ A station's failure to comply with Commission rules may result in an enforcement action.