



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

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

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## THE INCENTIVE AUCTION TASK FORCE AND MEDIA BUREAU ANNOUNCE REIMBURSEMENT FORM AVAILABILITY AND FILING DEADLINE AND PROCEDURES FOR REIMBURSEMENT OF LOW POWER TV, TV TRANSLATOR, AND FM STATIONS

**GN Docket No. 12-268**  
**MB Docket No. 16-306**  
**MB Docket No. 18-214**

### I. INTRODUCTION

1. The Incentive Auction Task Force and the Media Bureau (Bureau) in this Public Notice address the reimbursement procedures for eligible low power television (LPTV) and television translator (TV translator) stations (together LPTV/translator stations), and FM broadcast stations (FM stations),<sup>1</sup> for costs incurred as a result of the post-incentive auction broadcast transition from the TV Broadcaster Relocation Fund (the Fund). Specifically, we announce the availability of, and the initial deadline for, filing FCC Form 2100, Schedule 399 (Reimbursement Form);<sup>2</sup> summarize and clarify the process the Commission established to disperse money from the Fund to LPTV/translator and FM stations pursuant to the Reimbursement Expansion Act (REA);<sup>3</sup> and provide detailed instructions on filing of the reimbursement form in the Bureau's Licensing and Management System (LMS).<sup>4</sup>

<sup>1</sup> FM broadcast stations include FM translator stations and low-power FM (LPFM) stations. *LPTV, TV Translator, and FM Broadcast Station Reimbursement; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, MB Docket Nos. 18-214, 16-306; GN Docket No. 12-268, Report and Order, FCC 19-21, 34 FCC Rcd 1690, 1719, paras. 56-57 (2019) (*REA Report & Order*).

<sup>2</sup> On August 14, 2019, a summary was published in the Federal Register announcing Office of Management and Budget approval under the Paperwork Reduction Act of the revised FCC Form 2100, Schedule 399, as adopted in the *REA Report & Order*. *REA Report & Order*, 34 FCC Rcd at 1742, para. 116. This new information collection is contained in 47 CFR § 73.3701 and is effective as of August 14, 2019. See LPTV, TV Translator, and FM Broadcast Station Reimbursement, 84 Fed. Reg. 40271 (Aug. 14, 2019). The OMB Control Number is 3060-1178.

<sup>3</sup> *REA Report & Order; LPTV, TV Translator, and FM Broadcast Station Reimbursement; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Notice of Proposed Rulemaking and Order, 33 FCC Rcd 7855 (2018) (*REA NPRM & Order*).

<sup>4</sup> Procedures pursuant to which the Commission will effectuate payment to LPTV/translator and FM stations related to the submission of banking information and necessary certifications to the Commission and the validation of such information is provided in a separate Public Notice. *Incentive Auction Task Force and Media Bureau Announce Procedures for Submitting Financial Information Required for Disbursement of Reimbursement Payments*, DA 19-767 (OMB rel. Aug. 15, 2019) (*Financial Procedures PN*).

## II. DISCUSSION

### A. Availability of and Deadlines for Submission of Reimbursement Forms

2. LPTV/translator and FM stations that believe they meet the eligibility requirements established by the Commission in the *REA Report & Order*, and that intend to request reimbursement for eligible expenses, must file a certification demonstrating that they meet the eligibility criteria (Eligibility Certification). Eligible stations also will need to provide information on their existing broadcasting equipment and disclose estimated and/or actual costs eligible for reimbursement using FCC Form 2100, Schedule 399.<sup>5</sup> The Reimbursement Form, which has been revised for use by LPTV/translator and FM stations, is now accessible via LMS. Reimbursement-eligible LPTV/translator and FM stations may begin using it to submit the required certification, information, and documents.

3. We hereby establish the deadline for LPTV/translator and FM stations to submit their initial Reimbursement Form, including completion of the Eligibility Certification and reimbursement estimates (which may, as described below, consist of invoices and any required supporting documentation for already-incurred costs) for all of the equipment and service expenses the stations expect to incur as a result of the post-incentive auction transition. LPTV/translator and FM stations that plan to seek reimbursement from the Fund must file the Reimbursement Form by 11:59 PM on October 15, 2019.<sup>6</sup> To ensure that they receive a timely and accurate initial allocation of available funds, stations must file their cost estimates by the deadline.

### B. Procedures for Reimbursement for LPTV/translator and FM Stations

4. Detailed instructions for filing the Reimbursement Form via LMS are contained in Appendix. There is no fee for this filing.

#### 1. Eligibility Certification

5. Section III of the Reimbursement Form is the Eligibility Certification for LPTV/translator and FM Stations. The Commission mandated in the *REA Report & Order* that all LPTV/translator and FM stations must certify compliance with minimum operating requirements as described in that order<sup>7</sup> and, in certain instances, must provide supporting documentation.<sup>8</sup> All stations must also certify that they are not requesting reimbursement from the Fund for payments previously received from the Fund or for reimbursement of expenses paid – or expected to be paid – by any other source.<sup>9</sup> Stations must complete the Eligibility Certification by launching that section of the Reimbursement Form directly from the LMS license file for the facility they are seeking to qualify for reimbursement.

6. *LPTV/translator Stations.* The Eligibility Certification requires LPTV/translator stations to enter the LMS file number for a granted displacement construction permit from the Special

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<sup>5</sup> See *REA Report & Order*, 34 FCC Rcd at 1701-1709, 1719-1723, paras. 23-37, 55-63. *REA NPRM & Order*, 33 FCC Rcd at 7892, para. 91.

<sup>6</sup> See *REA Report & Order*, 34 FCC Rcd at 1733, para. 91.

<sup>7</sup> For stations that an operator acquired after April 13, 2016, the new owner may: (1) limit this certification to the period that they owned such station, and (2) reasonably rely on representations from the seller of such station for the period between April 13, 2016, and the date a purchase is consummated. See *REA Report & Order*, 34 FCC Rcd at 1734, n.298.

<sup>8</sup> *REA Report & Order*, 34 FCC Rcd at 1701-1709, 1719-1723, 1733-1736, paras. 23-37, 55-63, 91-96.

<sup>9</sup> *Id.* at 1733, para. 92.

Displacement Window or to verify that a licensee has completed construction of, and filed a license to cover for, the station's displacement facility that was authorized in the Special Displacement Window.<sup>10</sup>

7. Each LPTV/translator station must certify that it was: (a) licensed or had an application for license (FCC Form 2100 Schedule D) pending on April 13, 2017; and (b) licensed and transmitting for not less than 2 hours in each day of the week, and not less than a total of 28 hours per calendar week, for 9 of the 12 months prior to April 13, 2017.<sup>11</sup> Each station must provide copies of documents or other evidence that demonstrate the station's operation as described in item (b) above. By way of example, the supporting documentation could include evidence of programming aired by the station during the relevant period (such as program guides), electric power bills, or other evidence showing that the station was transmitting during this time period. (These examples of documentation are merely illustrative; we will accept alternate documentation that reasonably verifies operation during the designated time period.<sup>12</sup>) All evidentiary or explanatory documentation should be attached directly to the station's Eligibility Certification in LMS.

8. *FM Stations.* The Eligibility Certification requires an FM station to certify that it was licensed or had an application for license (FCC Form 302, 319, 350) pending and that it was transmitting on April 13, 2017.<sup>13</sup>

9. Each FM station must enter the Facility ID number(s) of the repacked full power or Class A television station(s) causing that FM Facility to incur costs to reasonably minimize disruption of its service.

10. Each FM station must also describe the reason that the station will incur (or has already incurred) costs to reasonably minimize disruption of service as a result of the repack of the specified full power or Class A television station(s), including why the FM station is or will be required to take one or more of the following actions:

- (a) permanently relocate its main transmission site;
- (b) temporarily dismantle all or some of the facilities at its main transmission site; or
- (c) construct or modify interim auxiliary facilities.

11. If the FM station asserts that it must construct or modify interim auxiliary facilities, the FM station must certify that its primary or existing auxiliary facilities would lose more than 20 percent of the station's normal covered population or more than 20 percent of its normal coverage area, and service

<sup>10</sup> The "Special Displacement Window" was a special filing window the Bureau opened on April 10, 2018, to offer operating LPTV/translator stations that were displaced as a result of the incentive auction an opportunity to select a new channel. See *Incentive Auction R&O*, 29 FCC Rcd at 6835, para. 657; *Incentive Auction Task Force and Media Bureau Announce Post Incentive Auction Special Displacement Window April 10, 2018, Through May 15, 2018, And Make Location and Channel Data Available*, Public Notice, 33 FCC Rcd 1234 (IATF and MB 2018); *Incentive Auction Task Force and Media Bureau Extend Post-Incentive Auction Special Displacement Window Through June 1, 2018*, Public Notice, 33 FCC Rcd 3794 (IATF and MB 2018); *Incentive Auction Task Force and Media Bureau Announce Settlement Opportunity for Mutually Exclusive Displacement Applications Filed During the Special Displacement Window, October 30, 2018 to January 10, 2019*, Public Notice, 33 FCC Rcd 10748 (IATF and MB 2018).

<sup>11</sup> *REA Report & Order*, 34 FCC Rcd at 1701-1709, 1733-1736, paras. 23-37, 91-96.

<sup>12</sup> *Id.* at 1733, para 92. The existence of a station filing for special temporary authority to be silent during the relevant period will be treated as a rebuttable presumption that an LPTV/translator station is not eligible for reimbursement from the Fund. If such a filing exists, the LPTV/translator station is permitted to rebut the presumption by demonstrating that it met the minimum operating requirement regardless of the filing. *Id.* at 1734, n.299.

<sup>13</sup> *REA Report & Order*, 34 FCC Rcd at 1719-1723, 1733-1736, paras. 55-63, 91-96.

would be lost for more than 24 hours and would not be limited to the hours 12 AM to 5 AM local time. Such FM station must also:

- (a) attach contour maps showing 60 and 70 dB $\mu$  contours from main transmission site for both full-power and reduced-power transmissions, including total area covered for all contours and total population covered for all contours, based on Census Bureau population centroids;
- (b) attach contour maps showing the 60 and 70 dB $\mu$  contours from the interim auxiliary facilities transmission site, and state the area and population covered under both contours,
- (c) provide all date(s) and time(s) that broadcast transmissions at the main transmission site were or will be required to cease or to operate at reduced power from the FM station's primary facility,
- (d) provide all date(s) and time(s) that broadcast transmissions were or will be made from the interim auxiliary facilities constructed using funds from the Fund.

All evidentiary or explanatory documentation should be attached directly to the station's Eligibility Certification in LMS.

## **2. Submission and Processing of Estimates and Incurred Expenses**

12. *Existing Equipment.* Each LPTV/translator and FM station must list on the Reimbursement Form in LMS its existing broadcasting equipment and the types of repacking-related costs it expects to incur.<sup>14</sup> Stations must also indicate on the Form whether they will need to purchase equipment to continue operating or whether they can reuse some of their existing equipment.<sup>15</sup> Stations need not wait for Commission confirmation of their eligibility to file information about their existing equipment or their reimbursement estimates and must file by the deadline whether or not such confirmation has been received. Submissions from stations that are ultimately found ineligible for reimbursement will not be processed and LMS will not permit further reimbursement submissions from such stations. The Reimbursement Form is launched directly from the LMS license file for the facility seeking reimbursement.

13. *Submissions of Estimates (or Actual Expenses in Lieu of Estimates).* Estimates of reimbursable costs and any required supporting documentation must be filed via LMS using the Reimbursement Form.<sup>16</sup> The Reimbursement Form includes a cost catalog that provides a list of the types of costs LPTV/translator and FM stations are most likely to incur, together with a range of prices applicable to such expenses. The cost catalog is embedded in the revised Reimbursement Form. Entities may select the estimates indicated on the form or, alternatively, may choose to provide their own estimates. In situations where actual costs have already been incurred for some or all of the station's anticipated expenses, stations should utilize the actual cost value as their estimate and should provide the actual cost invoice and other relevant documentation in lieu of vendor quotes or other estimate documents.

14. The Reimbursement Form is dynamic and guides users with prompts that indicate how and when filers must provide explanations and supporting documentation. Entities may be reimbursed for both "hard" costs, such as new equipment and tower rigging, and "soft" costs, such as engineering, project management, and legal expenses. The cost catalog is not an exhaustive list and additional types of expenses may be submitted for consideration. Filers must submit supporting cost estimate documentation (such as a price quote from a vendor) for any equipment or service for which there is no predetermined

<sup>14</sup> See *REA Report & Order*, at 1734, para. 94.

<sup>15</sup> See *id.* at 1712, 1731, paras. 44, 85.

<sup>16</sup> See *id.* at 1733, para. 91.

cost estimate in the catalog. Additionally, filers must provide a detailed explanation if an estimate exceeds the amount listed for the particular equipment or service in the catalog.<sup>17</sup>

15. LPTV/translator and FM stations that have already incurred costs eligible for reimbursement prior to the Reimbursement Form submission deadline may indicate their actual costs and provide their invoices, instead of providing estimates, for such costs.<sup>18</sup> Reimbursement payments will not be processed against those actual expenses, however, until after the Bureau makes an initial allocation as described below.

16. *Allocations.* Once the Bureau, with the assistance of a contractor with extensive experience in television and radio broadcast engineering and federal funds management (Fund Administrator), completes its review of the Eligibility Certifications and cost estimates (or, in the case of costs that have already been incurred and submitted, actual expenses), the Bureau will make an initial allocation from the Fund for each eligible LPTV/translator and FM station.<sup>19</sup> The allocated amount is the dollar amount that that station will have to draw down against as it incurs actual expenses.<sup>20</sup> The amount of the initial allocation, as well as the total amount allocated to each entity, will depend in part on a number of factors, including: the number of LPTV/translator and FM stations that file satisfactory Eligibility Certifications; the aggregate dollar value of verified cost estimates and actual expenses; and the amount available for reimbursement for each type of entity from fiscal year 2018 funds.<sup>21</sup>

17. Each LPTV/translator and FM station receiving an allocation will be able to view the specific amount allocated to its Facility ID by logging in to the CORES Incentive Auction Financial Module and navigating to the Auction Payments component.<sup>22</sup> The *Financial Procedures PN* provides additional information on how to submit information necessary for the Commission to make reimbursement payments, including requirements and guidance for completing Form 1876 by which stations provide their banking information to the Commission.<sup>23</sup>

18. After the initial allocation of reimbursement funds, the Bureau may issue one or more subsequent allocation(s). Throughout the reimbursement program, stations are required to update their cost estimates if there is a change in their plans for purchasing reimbursable equipment or services or other change in the information submitted in their Reimbursement Form. Accordingly, subsequent allocations may be based on revised cost estimates.

19. *Actual Expenses.* An LPTV/translator or FM station must submit information on the Reimbursement Form *each time* it makes a request for reimbursement from the Fund.<sup>24</sup> To receive reimbursement after an LPTV/translator or FM station incurs an eligible cost, it must file a reimbursement claim along with any required supporting invoices and other cost documentation using the Reimbursement Form via LMS. The *REA Report & Order* provides guidance regarding reimbursement-

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<sup>17</sup> See *REA Report & Order*, at 1734, para. 94.

<sup>18</sup> *Id.*

<sup>19</sup> See *id.* at 1736-1737, paras. 97-98. If a station has submitted an insufficient Eligibility Certification that does not satisfy the standards established by the Commission in the *REA Report & Order*, the station will be so informed by staff and will not receive an initial allocation.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> As noted above, procedures pursuant to which the Commission will effectuate payment to LPTV/translator and FM stations related to the submission of banking information and necessary certifications to the Commission and the validation of such information was provided in a separate Public Notice. See *Financial Procedures PN*.

<sup>23</sup> *Id.*

<sup>24</sup> See *REA Report & Order*, at 1738-1739, paras. 103-06.

eligible expenses.<sup>25</sup> Additional guidance may be found in the reimbursement program's "frequently asked questions," or FAQ, section of the Commission's website, which is updated regularly.<sup>26</sup> A station must provide a detailed explanation on the Reimbursement Form if an actual cost exceeds the estimated cost for a particular line item. Entities may, and likely will, submit multiple reimbursement requests as they incur expenses.

20. While stations have the flexibility to submit each invoice upon receipt from the vendor or to submit claims in batches, please note that we rely in part on draw-down amounts and submitted estimates to make allocation decisions. We therefore encourage stations to promptly submit incurred costs for reimbursement and to revise their cost estimates as applicable. Each reimbursement claim will be reviewed by the Fund Administrator and the Bureau to ensure that payment is made for only those costs that satisfy the statutory standard for reimbursement.

21. *Additional Guidance on Reimbursement Form Submission.* Experience with the full power and Class A reimbursement program has allowed us to develop guidance on certain commonly-asked questions or issues regarding completing and submitting the Reimbursement Form.

(a) Ensure the "Reimbursement Contact" identified on the Reimbursement Form is accurate so that emails from Commission staff and the Fund Administrator are delivered to the proper person. This also helps reduce the possibility that emails will be diverted as spam.

(b) Double check that the data entered in the Reimbursement Form matches the invoice, including the vendor name; vendor EIN/TIN; invoice date; invoice number; invoice due date; dollar amount; and station call sign and facility ID.

(c) Upload an invoice only once for the first line item. Once uploaded, the invoice can be associated with future line items by using a drop-down menu to access the invoice. Do not delete an invoice unless instructed to do so by the Fund Administrator or Commission staff. If a station uploads a new invoice, the system will use the most recent version. If an invoice includes costs for multiple stations, document how the expenses are divided among the various stations and explain the reason. If requesting a partial payment of the total amount reflected on an invoice (e.g., deducting the cost of upgrades), include a cover letter identifying the reimbursement amount requested.

(d) For professional services, reimbursement requests must be accompanied by a supporting vendor invoice that clearly identifies the period of time during which services were performed. Time and material billings must specify hours worked by resource, the associated rate(s) per hour, and a description of the activities performed by each individual. Project management services must be billed as time and materials. If fixed-fee billings are submitted, they must specify the time period covered by the invoice, a detailed description of services rendered, and the amount due.

### 3. Reimbursement Program Close-Out Procedures

22. After a station has incurred all costs eligible for reimbursement and submitted all of its supporting documentation, but no later than a deadline to be announced by the Bureau before the July 3, 2023, statutory expiration of the reimbursement program, LPTV/translator and FM stations will use the Reimbursement Form to notify the Bureau that the station has submitted all supporting documentation and requests for reimbursement.<sup>27</sup> After receipt of such notice, the Reimbursement Form will be locked

<sup>25</sup> See *REA Report & Order*, at 1709-1718, 1723-1733, paras. 38-53, 64-88.

<sup>26</sup> <https://www.fcc.gov/about-fcc/fcc-initiatives/incentive-auctions/reimbursement>.

<sup>27</sup> See *REA NPRM & Order*, 33 FCC Rcd at 7892-93, para. 93; *REA Report & Order*, 34 FCC Rcd at 1739, para. 105.

and the station will not be able to submit additional supporting documentation or requests for reimbursement of actual costs incurred, except at the direction of the Fund Administrator.<sup>28</sup>

23. The Fund Administrator will provide each station with a financial reconciliation statement that specifies verified, estimated amounts; allocated amounts; amounts requested for reimbursement; and amounts disbursed by the Commission. Additionally, the reconciliation statement will contain information outlining any additional amounts payable by the Commission to the station or owed to the Commission by the station. If an overpayment is discovered, the station will be required to return the excess amount to the Commission. In the event a station must refund money to the Fund, the Commission will provide the station with detailed instructions on how to make prompt repayment of such overpayments.<sup>29</sup>

24. The authorized point of contact for each station should review the financial reconciliation statement for accuracy and completeness and, upon concurrence, return an executed version of the financial reconciliation statement to the Fund Administrator. The Bureau will then provide the station with an interim close-out letter and issue any payments due at that time, subject to the station's available allocation.

25. Consistent with the reimbursement program for full power and Class A stations and MVPDs, we intend to withhold a certain portion of potentially eligible funds until the conclusion of the program, or until such time as the Bureau can reasonably extrapolate that the total available funding will be sufficient to meet the total cost of the program. The final account close-out for each entity will occur no later than July 3, 2023, the statutory end of the reimbursement period, when all entities eligible for reimbursement from the Fund must have submitted all actually incurred costs. Each station will therefore receive two close-out letters from the Bureau: (1) an "interim close-out letter" when the station has submitted evidence of all incurred costs; and (2) a "final close-out letter" after all or nearly all entities eligible for reimbursement from the Fund have entered the close-out process. Should the Bureau issue one or more allocations subsequent to issuance of an interim close-out letter, such allocation(s) would make additional funding available to stations that incurred costs beyond their allocation as of the time they entered the interim close-out period. A final close-out letter will serve as the official notice of account close-out. It will include a summary of any financial changes that occurred during the period since the interim closing and will remind entities of their ongoing obligation to retain relevant documentation associated with submissions to the Commission.<sup>30</sup>

### **C. Measures to Prevent Waste, Fraud, and Abuse**

26. Stations must document their actual expenses by providing all relevant invoices and receipts and also must retain other relevant records to substantiate their certifications and reimbursement claims. LPTV/translator and FM stations seeking reimbursement must retain all relevant documents pertaining to construction or other reimbursable changes or expenses for a period ending not less than 10 years after the date on which the entity receives final payment from the Reimbursement Fund.<sup>31</sup>

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<sup>28</sup> The procedures for LPTV/translator and FM stations are consistent with the close-out procedures for full power and Class A stations and MVPDs. See *Incentive Auction Task Force and Media Bureau Report on the Status of the Post-Incentive Auction Transition and Reimbursement Program, Announce a Further Allocation From the Relocation Fund; and Announce Procedures for Eligible Entities to Close Out Accounts in the Fund*, 34 FCC Rcd 304, 311-13, paras. 22-26 (IATF and MB 2019).

<sup>29</sup> Disbursements from the Commission will be made in accordance with the financial procedures described in the separate financial procedures public notice. See *Financial Procedures PN*.

<sup>30</sup> *REA Report & Order*, 34 FCC Rcd at 1739-1740, paras. 107-10.

<sup>31</sup> *Id.* at 1734, 1739-1740, paras. 93, 107-10.

27. We remind all stations that certify to the Commission that they meet the eligibility criteria that they may be subject to audits, information requests, data or disbursement validations, site visits, or other verifications to substantiate representations with respect to eligibility, and such entities may be directed to make available any relevant documentation upon request from the Commission or its contractor. A false certification may result in disqualification for reimbursement and other sanctions provided for in the Communications Act and the Commission's rules.<sup>32</sup>

28. The Bureau, Fund Administrator, and/or a third-party auditor will validate expenses after the reimbursement period ends and, where appropriate, recover any money that should be returned, consistent with the Commission's obligation to recover improper payments.<sup>33</sup> We stress that a station that has requested reimbursement may be selected for audits, information requests, data or disbursement validations, site visits, or other verifications after the station has completed all of the activities necessary to complete its construction project, during the interim close-out period, or thereafter. Evidence of valid disbursements may consist of copies of cancelled checks, financial institution statements detailing the disbursement, wire or electronic fund transfer confirmations, credit card statements, or other relevant third-party banking information that affirmatively demonstrates the proper payment of funds to third-party vendors. Not every station may be selected for additional disbursement data validations and audits, but all entities are reminded of the document retention requirements required as participants in the Reimbursement Program.

#### **D. Contacts**

29. Additional questions concerning the post-incentive auction transition may be referred to the contact persons below.

**Television licensing (legal):**

Shaun Maher at 202-418-2324 or  
[Shaun.Maher@fcc.gov](mailto:Shaun.Maher@fcc.gov)

**LPTV/Translator licensing (technical):**

Hossein Hashemzadeh at 202-418-1658 or  
[Hossein.Hashemzadeh@fcc.gov](mailto:Hossein.Hashemzadeh@fcc.gov)

Kevin Harding at 202-418- 7077  
[Kevin.Harding@fcc.gov](mailto:Kevin.Harding@fcc.gov)

**FM licensing (legal):**

Thomas Nessinger at 202-418-2709 or  
[Thomas.Nessinger@fcc.gov](mailto:Thomas.Nessinger@fcc.gov)

**FM licensing (technical):**

James Bradshaw at 202-418-2700 or  
[James.Bradshaw@fcc.gov](mailto:James.Bradshaw@fcc.gov)

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<sup>32</sup> Section 1.17 of the Commission's rules requires that licensees must provide truthful and accurate information in all interactions with the Commission. 47 CFR § 1.17. Violation of this rule may subject the applicant to a monetary forfeiture pursuant to sections 502 and/or 503 of the Communications Act, 47 U.S.C. §§ 502 and 503. An intentional false certification also may be sanctioned under section 1001 of Title 18 of the United States Code, 18 U.S.C. § 1001, which makes it a crime, punishable by a \$10,000 fine, or five years imprisonment, or both, to knowingly and willfully make "any false, fictitious or fraudulent statements or representation" with respect to any matter within the jurisdiction of a federal agency.

<sup>33</sup> *REA Report & Order*, 34 FCC Rcd at 1734, 1739-1740, paras. 93, 107-10. *See also, Incentive Auction R&O*, 29 FCC Rcd at 6826, para. 635.

**Reimbursement of Expenses (Form 399):**

Dana Leavitt at 202-418-1317 or

[Dana.Leavitt@fcc.gov](mailto:Dana.Leavitt@fcc.gov)

Maria Husseinadah at 202-418-1611 or

[Maria.Husseinadah@fcc.gov](mailto:Maria.Husseinadah@fcc.gov)**LMS:**

Technical problems or trouble accessing: (877) 480-3201 TTY: (717) 338-2824

**Form 399:**Technical problems or trouble filing: (202) 418-2009 or  
[reimburse@fcc.gov](mailto:reimburse@fcc.gov)**CORES and Form 1876:**

Technical problems or trouble accessing: (877) 480-3201 TTY: (717) 338-2824

**APPENDIX**  
**INSTRUCTIONS FOR BROADCASTERS<sup>1</sup> ACCESSING AND FILING ON LMS**

**General Log-in Instructions**

Access the LMS applicant data entry home page here:

<https://enterpriseefiling.fcc.gov/dataentry/login.html>

Log-in using the FRN associated with the station.

For more information and help using the LMS system, contact: (877) 480-3201 TTY, or (717) 333-2824.

**Instructions for Specific Filings**

After logging into LMS, follow these instructions for the particular type of filing:

1. **Fees. Applicants must pay the requisite filing fee where applicable for a filing in LMS. There is no fee for filing FCC Form 2100 – Schedule 399 (Reimbursement form).**
2. **FCC Form 2100 – Schedule 399 (Reimbursement form), Schedule 399 (Eligibility Certification), Schedule A and Schedule E (Construction permit)**
  1. Click on “Authorizations” tab on the left top of the page.
  2. Click on the license authorization file number of the station.
  3. Click on “File an Application” button.
  4. Select appropriate Schedule from the drop-down menu.
  5. Complete the application and click “Submit.”

For more information and help using the Form 399, contact: (202) 418-2009 or [reimburse@fcc.gov](mailto:reimburse@fcc.gov).

3. **Amending FCC Form 2100 – Schedule 399 (Reimbursement Form), Schedule A and Schedule E (Construction permit)**
  1. Click on “Submitted tab.”
  2. Click on file number of the application to be amended.
  3. Click on “File an Application” button.
  4. Select “amend Application” from the drop-down menu.
  5. Complete the application and click “Submit.”

For more information and help using the Form 399, contact: (202) 418-2009 or [reimburse@fcc.gov](mailto:reimburse@fcc.gov).

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<sup>1</sup> These instructions relate to broadcaster access to the Reimbursement Form. MVPDs must utilize the MVPD Filing Dashboard, located at <https://enterpriseefiling.fcc.gov/form399mvpddashboard/login.html>.