

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Promoting Diversification in the Broadcasting
Services
MB Docket No. 07-294

ORDER

Adopted: September 17, 2019

Released: September 17, 2019

By the Chief, Media Bureau:

1. By this Order, the Media Bureau (Bureau), on its own motion, postpones the opening of the 2019 biennial filing window for the submission of broadcast ownership reports on FCC Form 323 and 323-E from October 1, 2019 to November 1, 2019, and extends the filing deadline from December 1, 2019 to January 31, 2020.

2. Pursuant to the Commission’s rules, all licensees of commercial and noncommercial AM, FM, TV, Class A, and Low Power Television (LPTV) stations, as well as entities with attributable interests in such stations, are required to file ownership reports on Form 323/323-E every two years. The rules require that these biennial ownership reports be filed by December 1 in all odd-numbered years and that such reports provide information that is current as of October 1 of the filing year.¹

3. On our own motion, we hereby postpone the opening of the 2019 biennial filing window to November 1, 2019. In addition, we extend the filing deadline until January 31, 2020. Postponing the start of the filing window will ensure sufficient time to properly implement additional technical improvements to the Form 323/323-E report, including copying and pre-filing capabilities within the Commission’s electronic filing system. We believe that filers will benefit significantly from these burden-reducing capabilities and that delaying the opening of the filing window will ensure these enhancements are available to all filers at the start of the filing window. Successful implementation of these improvements to the system will simplify the filing experience and ultimately enhance the data collection. Furthermore, given the intervening holidays, extending the filing deadline will ensure that filers have sufficient time to complete and submit their reports. Filers are encouraged to complete and submit their Form 323/323-E filings as early as possible during the filing window and well in advance of the extended deadline. As stated above, this extension applies only to the 2019 biennial filing window. Importantly, this Order does not change the required “as-of” date of the information reported on Form 323/323-E biennial ownership reports. Accordingly, information reported on Form 323/323-E in fulfillment of the 2019 biennial filing requirement must reflect ownership interests existing on October 1, 2019.²

4. Filers seeking advice on how to complete Form 323/323-E biennial ownership reports

1 47 CFR §§ 73.3615(a), (d), 73.6026, 74.797.

2 47 CFR §§ 73.3615(a), (d), 73.6026, 74.797. Thus, in cases where a broadcast station is assigned or transferred after October 1, 2019, a biennial ownership report for the station must be filed by the individual or entity that held the station’s license on October 1, 2019, as well as any entity that held an attributable interest in the station’s licensee on October 1, 2019, even if they no longer own the station at the time the biennial ownership report is filed.

should consult the instructions to Form 323/323-E (available on the Commission's website at <https://www.fcc.gov/licensing-databases/forms>) and the information on the Bureau's Form 323/323-E website, <https://www.fcc.gov/media/ownership-report-commercial-broadcast-station-form-323>. Filers are encouraged to review the Frequently Asked Questions (FAQs) and other materials posted on the Form 323/323-E website and to monitor the website for updates to the filing advice. For additional advice on completing Form 323/323-E biennial ownership reports, please e-mail Bureau staff at Form323@fcc.gov.

5. Accordingly, IT IS ORDERED, that pursuant to authority under Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154 and 303(r), and pursuant to authority delegated to the Media Bureau in Sections 0.61, 0.204 and 0.283 of the Commission's rules, 47 CFR §§ 0.61, 0.204, 0.283, the 2019 biennial filing window IS POSTPONED and the filing deadline IS EXTENDED as described above, *sua sponte*.

6. For further information, please contact Christopher Clark, Industry Analysis Division at 202-418-2609.

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey
Chief, Media Bureau