



# PUBLIC NOTICE

Federal Communications Commission  
45 L St., N.E.  
Washington, D.C. 20554

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

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## MEDIA BUREAU ANNOUNCES OCTOBER 30, 2020, EFFECTIVE DATE OF NEW LPFM TECHNICAL RULES

### New Schedule 318 Application Requirements for LPFM Directional Antenna Filings in Light of the New Rules

#### MB Docket Nos. 19-193, 17-105

By this Public Notice, the Media Bureau (Bureau) announces the effective date of new technical rules for low power FM (LPFM) stations and new Schedule 318 requirements for LPFM Directional Antenna filings in light of these new technical rules. On April 23, 2020, the Commission released the *LPFM Technical Order*, which adopted certain changes to the LPFM technical rules to improve reception and increase flexibility in transmitter siting while maintaining interference protection and the core LPFM goals of diversity and localism.<sup>1</sup> The new rules became effective on July 13, 2020, except for rule sections 73.816, 73.850, and 73.870, which required approval by the Office of Management and Budget (OMB) because they contain information collection requirements.<sup>2</sup> The Commission submitted these information collection requirements to OMB for review under 44 U.S.C. § 3507(d)<sup>3</sup>, and we announce that OMB has approved these collections.<sup>4</sup> In the *LPFM Technical Order*, the Commission stated that these rules will become effective after the Commission publishes a notice in the Federal Register announcing OMB approval and the relevant effective dates.<sup>5</sup> The Commission has published this notice in the Federal Register, announcing October 30, 2020, as the effective date of the rules.<sup>6</sup>

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<sup>1</sup> See *Amendments of Parts 73 and 74 to Improve the Low Power FM Radio Service Technical Rules; Modernization of Media Regulation Initiative*, Report and Order, MB Docket Nos. 19-193, 17-105, FCC 20-53 (rel. Apr. 23, 2020) (*LPFM Technical Order*).

<sup>2</sup> *LPFM Technical Order*, Final Rules, 85 FR 35567 (June 11, 2020) (Federal Register summary of the *LPFM Technical Order* and rule changes not requiring OMB approval).

<sup>3</sup> Paperwork Reduction Act of 1995, Public Law 104-13; 44 U.S.C. § 3507.

<sup>4</sup> See Notice of Office of Management and Budget Action for OMB Control No. 3060-0920 (approved Oct. 2, 2020).

<sup>5</sup> *LPFM Technical Order* at para. 66.

<sup>6</sup> *Low Power FM Radio Service Technical Rules*, 85 Fed. Reg. 68474 (Oct. 29, 2020).

*New Filing Requirements – LPFM Schedule 318<sup>7</sup>*

The Bureau has completed the update of FCC Form 2100, Schedule 318, Low Power FM Station Construction Permit Application (Schedule 318)<sup>8</sup> to reflect the new rules. The new Schedule 318 filing requirements for LPFM Directional Antennas are detailed below.<sup>9</sup>

*Expanded LPFM Use of Directional Antennas.* Effective immediately, all LPFM stations may use directional facilities, with either off-the-shelf or composite antennas, upon a satisfactory engineering showing.<sup>10</sup> Schedule 318 has been updated to add an Antenna Type question to the Technical Certifications Section of Schedule 318. The applicant is required to describe the proposed antenna type (directional or non-directional). Applicants proposing a directional antenna, as now permitted by 47 CFR § 73.816, must complete a data table, providing relative field values for every ten degrees on the unit circle.

Filers who have questions regarding basic filing requirements or who need assistance logging into LMS should contact the Commission at (877) 480-3201 (Option 2), Monday – Friday, 8:00 am – 6:00 pm ET, or submit a request online at <https://www.fcc.gov/available-support-services>. For additional information, please contact Irene Bleiweiss, [Irene.Bleiweiss@fcc.gov](mailto:Irene.Bleiweiss@fcc.gov); or James Bradshaw, [James.Bradshaw@fcc.gov](mailto:James.Bradshaw@fcc.gov); of the Media Bureau, Audio Division, (202) 418-2700. Direct press inquiries to Janice Wise, [Janice.Wise@fcc.gov](mailto:Janice.Wise@fcc.gov), (202) 418-8165.

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<sup>7</sup> The Bureau is simultaneously releasing a Public Notice to announce the effective date of the new rules stemming from the *NCE LPFM Order* and new Schedule 318 reasonable site assurance requirements in light of the *NCE LPFM Order*. See *Reexamination of the Comparative Standards and Procedures for Licensing Noncommercial Educational Broadcast Stations and Low Power FM Stations*, MB Docket No. 19-3, Report and Order (*NCE LPFM Order*), 34 FCC Rcd 12519 (2019); *aff'd* Order on Reconsideration, FCC 20-121 (Sept. 2, 2020).

<sup>8</sup> Schedule 318 has been converted to the Bureau's Licensing and Management System (LMS) online electronic filing system. This construction permit application must be filed using LMS. A link to the LMS system can be found at <https://enterpriseefiling.fcc.gov/dataentry/login.html>.

<sup>9</sup> We note that the *LPFM Technical Order* also redefined "minor changes" for LPFM stations. See *LPFM Technical Order* at para. 16; 47 CFR § 73.870(a). Effective immediately, an LPFM station may apply for approval to relocate its transmitter site without awaiting a filing window if the change is "minor," redefined in the *LPFM Technical Order* as a move of 11.2 kilometers or less. Proposals of greater distances may also qualify as minor if the existing and proposed service contours overlap.

<sup>10</sup> See *LPFM Technical Order* at para. 4.