



# PUBLIC NOTICE

**Federal Communications Commission**  
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DA 23-1165  
December 15, 2023

## **MEDIA BUREAU ANNOUNCES CLOSE OF LPFM NEW STATION FILING WINDOW AND TEMPORARY FILING FREEZE ON AMENDMENTS TO APPLICATIONS SUBMITTED IN THE DECEMBER 2023 FILING WINDOW**

The filing window for applications for new low power FM (LPFM) station construction permits closed at 12:00 pm (noon) EST on Friday, December 15, 2023.<sup>1</sup> No further new LPFM station applications may be filed. Any application submitted after the 12:00 pm (noon) EST Friday, December 15, 2023, application deadline will be dismissed by public notice without further consideration.<sup>2</sup>

The Bureau also announces a temporary freeze on the filing of *any* amendments to new LPFM station applications submitted in the December 2023 filing window.<sup>3</sup> The freeze will take effect immediately and will continue in effect until 6:00 pm EST on Wednesday, January 31, 2024. During this time, the Bureau staff will review the applications to identify mutually exclusive (MX) groups of applications<sup>4</sup> and applications that are not mutually exclusive with any other application filed in the window (singletons).<sup>5</sup> Following this period, the Bureau expects to release forthcoming public notices to

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<sup>1</sup> The filing window was initially scheduled to run from November 1, 2023, to November 8, 2023. *Media Bureau Announces Filing Procedures and Requirements for November 1 – November 8, 2023, Low Power FM Filing Window*, Public Notice, DA 23-642 (MB July 31, 2023) (*LPFM Procedures Public Notice*). Based on an earlier request from certain outside parties, the Media Bureau (Bureau) subsequently delayed the window to run from December 6, 2023 to December 13, 2023. *Media Bureau Announces Revised Dates for LPFM New Station Application Filing Window*, Public Notice, DA 23-984 (MB Oct. 17, 2023). The Bureau subsequently extended the close of the window until December 15, 2023. *Media Bureau Announces Extension of LPFM New Station Application Filing Window*, Public Notice, DA 23-1150 (MB Dec. 11, 2023).

<sup>2</sup> As the Bureau previously noted, new LPFM station applications filed outside of the LMS system, including paper filed applications, will be dismissed. *LPFM Procedures Public Notice* at 2. Accordingly, we will dismiss any applications submitted by email or that are paper filed after the 12:00 pm (noon) December 15, 2023, closing of the filing window.

<sup>3</sup> Any amendments that are submitted between the release of this public notice and the subsequent public notice allowing the filing of amendments will be dismissed without consideration. At no point will we accept amendments to correct violations of the spacing rules set forth in section 73.807 of the Commission's rules. See 47 CFR §§ 73.807, 73.870(c). Applicants with correctable defects, such as a defective TV6 protection showing, will be able to file curative amendments pursuant to our established procedures after the temporary amendment filing freeze is lifted on January 31, 2024. See *Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications*, Public Notice, 56 RR 2d 776 (1984); 47 CFR § 1.106. Additionally, applicants may not amend their applications to increase their comparative point total.

<sup>4</sup> Conflicting LPFM applications, which cannot all be granted consistent with the Commission's technical rules, are considered mutually exclusive. A MX group consists of all applications which are MX to at least one other application in the group.

<sup>5</sup> Rule compliant singleton applications will be accepted for filing. The acceptance for filing of these singletons will start the 30-day period for filing petitions to deny. See 47 CFR § 73.870(d).

identify the MX groups of applications and explain the procedures for filing settlement agreements and technical amendments.<sup>6</sup>

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<sup>6</sup> Before proceeding to a comparative analysis, MX applicants will have an opportunity to resolve conflicts through settlements or technical amendments.