



PUBLIC NOTICE

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MEDIA BUREAU ANNOUNCES SEPTEMBER 28, 2023 EFFECTIVE DATE FOR CERTAIN FM6 LPTV STATION RULES

MB Docket No. 03-185

On July 20, 2023, the Commission released a *Report and Order* in MB Docket No. 03-185 adopting new rules to permit a limited number of 14 low power television stations operating on TV channel 6 (FM6 LPTV stations) to maintain their existing analog FM radio services on an ancillary or supplementary basis subject to specific operational rules and requirements.¹ On August 29, 2023, the Office of the Federal Register published a summary of the *Report and Order*.² Accordingly, the effective date for the rules adopted in the *Report and Order* is September 28, 2023, except for those that require approval from the Office of Management and Budget (OMB)³ including new sections 74.790(o)(9) and 74.790(o)(10) of the Commission's rules;⁴ the requirement for FM6 LPTV stations to maintain an online public inspection file;⁵ and the requirement that FM6 LPTV stations notify the Commission of their intent to continue FM6 operations, provide their FM6 operational parameters, and notify the Commission of any changes to their operational parameters.⁶

Until the Commission receives OMB approval on the remaining rules and requirements, FM6 LPTV stations should continue to seek extensions of their current FM6 engineering special temporary authorizations (STAs).⁷ We also remind Metro TV, Inc., that it has until December 22, 2023 (that is 85 days from the effective date of the *Report and Order*) for WVOA-LD, Westvale, New York, to commence ATSC 3.0 and FM6 operations by filing an application to convert the station to ATSC 3.0 and a request for engineering STA.⁸

¹ *Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television and Television Translator Stations*, MB Docket 03-182, Report and Order, FCC 23-58, para. 72 (July 20, 2023) (*Report and Order*).

² Federal Communications Commission, FM6 LPTV Stations, 88 Fed. Reg. 59455 (Aug. 29, 2023).

³ *Id.*; Federal Communications Commission, Information Collection Being Reviewed by the Federal Communications Commission, 88 Fed. Reg. 53893 (Aug. 9, 2023).

⁴ 47 CFR §§ 74.790(o)(9) and (10). *See Report and Order* at para. 52.

⁵ *See id.* at para. 56; 47 CFR § 74.790(11).

⁶ *See Report and Order* at para. 52.

⁷ FM6 LPTV stations must comply with all rules once effective. The Media Bureau will issue a subsequent Public Notice relating to compliance with any rules or requirements that require OMB approval prior to their effective date and when FM6 LPTV stations may stop seeking extensions of their current STAs.

⁸ *Report and Order* at para. 28. WVOA-LD must notify the Media Bureau no more than 10 days after it commences FM6

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operations and, upon grant, its STA will be conditioned as set forth in the *Report and Order* by the Commission. *Id.*