



PUBLIC NOTICE

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DA 26-902
August 27, 2026

MEDIA BUREAU PROVIDES CLARIFICATION AND FURTHER GUIDANCE ON FILING WINDOW FOR NEW NONCOMMERCIAL EDUCATIONAL RESERVED BAND FM TRANSLATOR STATION APPLICATIONS

MB Docket No. 26-20

On June 17, 2026, the Media Bureau (Bureau) announced the first-ever filing window for new noncommercial educational (NCE) reserved band FM translator station construction permit applications, and provided an overview of the procedures, filing requirements, and comparative selection process that will apply to the window.¹ The Bureau subsequently announced revised dates for the upcoming window.² The purpose of this Public Notice is to provide clarification and additional guidance regarding eligibility restrictions and the comparative selection criteria, in response to recent inquiries to Bureau staff.

Eligibility Restrictions. Section 74.1233(b)(5)(i) of the Commission's rules requires that each applicant in the upcoming filing window be the licensee or permittee of an existing NCE FM or noncommercial AM radio broadcast station or LPFM station (primary station) that the proposed FM translator station will rebroadcast.³

Pending Assignments. An applicant that is the proposed assignee or transferee of an existing NCE FM, noncommercial AM radio broadcast station, or LPFM station (primary station) that the proposed FM translator station will rebroadcast may file applications in the window, provided that: (1) an assignment of license or transfer of control application for the primary station is on file at the time of filing the NCE reserved band FM translator station construction permit application, and (2) the proposed assignee or transferee requests a temporary waiver of section 74.1233(b)(5)(i) of the rules. A proposed

¹ See *Media Bureau Announces Dates, Procedures, and Requirements for the Filing Window for New Noncommercial Educational Reserved Band FM Translator Station Applications; Limited Application Filing Freeze to Commence on July 10, 2026*, Public Notice, DA 26-601 (MB June 17, 2026) (*June Procedures Public Notice*).

² See *Media Bureau Announces Revised Dates for the Filing Window for New Noncommercial Educational Reserved Band FM Translator Station Applications*, Public Notice, DA 26-666 (MB July 6, 2026) (rescheduling the window from August 2026 to November 2026). The window will now open at 12:01 am EST on Wednesday, November 4, 2026, and close at 6:00 pm EST on Tuesday, November 17, 2026.

³ See 47 CFR § 74.1233(b)(5)(i); *June Procedures Public Notice*; see also *FCC Adopts Application Limit and Eligibility Restrictions for New Noncommercial Educational Reserved Band FM Translator Station Applications in Upcoming 2026 Window*, MB Docket No. 26-20, Public Notice, FCC 26-37 (May 28, 2026).

FM translator station application filed under these circumstances would count toward the application limit of the proposed assignee or transferee.⁴

Time-Sharing Applicants. An NCE FM or LPFM permittee or licensee that operates by means of a time-sharing arrangement⁵ may file applications in the upcoming window. A proposed FM translator filed under these circumstances can only operate during the time-slot authorized for the NCE FM or LPFM station pursuant to the time-sharing agreement.⁶ One or all such time-sharing permittees or licensees can submit applications. Each application must be filed independently and separately; the time-sharing applicants cannot submit a joint application. Time-sharing permittees or licensees can, however, agree to time-share a proposed FM translator station, provided that each submits a separate application.

Point System Selection Criteria. Each NCE reserved band FM translator station applicant must complete the “Point System Factors/Tie Breakers” Section of Schedule 349. In the event mutually exclusive applications⁷ proceed to a point system analysis, the NCE point system awards a maximum of seven merit points, based on four distinct criteria: (1) established local applicant; (2) diversity of ownership; (3) state-wide network; and (4) technical parameters.⁸ In response to recent questions, we clarify how to determine eligibility for the established local applicant and diversity of ownership points.

Established Local Applicant To qualify for the three points as an “established local applicant,” an applicant must certify that it has been local and established in the community to be served continuously for at least two years immediately prior to the application filing.⁹ To be considered local, a non-governmental applicant must have a physical headquarters, campus, or 75% of its governing board members residing within 25 miles of the reference coordinates of the community to be served.¹⁰ Because there is no community of license coverage requirement for the FM translator service, we recently received requests to clarify how to determine if an FM translator applicant qualifies for localism points.

Unlike the full-service AM or FM station rules,¹¹ there is currently no rule requiring a proposed FM translator station to provide any minimum level of service to, or signal strength over the proposed community of license. An FM translator applicant, therefore, could potentially propose service to an area that is completely disconnected from its identified community of license.

However, we clarify that, in the context of the comparative point system criteria, localism is

⁴ Each applicant entity may file no more than a total of ten applications nationally in this window except that (i) each Tribal LPFM applicant entity subject to section 73.860(c) of the rules may file no more than a total of four applications nationally, and (ii) each other LPFM applicant entity subject to section 73.860(b) of the rules may file no more than a total of two applications nationally. *See* 47 CFR § 74.1233(b)(5)(ii); *June Procedures Public Notice*.

⁵ *See* 47 CFR §§ 74.7003(c)(4)-(5); 73.872(c)-(d).

⁶ *Id.*

⁷ As explained in the *June Procedures Public Notice*, conflicting NCE reserved band FM translator applications, which cannot all be granted consistent with the Commission’s technical rules, are considered mutually exclusive (MX).

⁸ *See* 47 CFR §§ 73.7003(b) and 74.1233(e).

⁹ *Id.* § 73.7003(b)(1).

¹⁰ *See id.* § 73.7000. If an applicant certifies that it is an “established local applicant” it must submit substantiating documentation with its application to illustrate how it qualifies as local and established. *See June Procedures Public Notice*.

¹¹ *See* 47 CFR §§ 73.24(i), 73.315(a), 73.515.

based on the “community to be served.”¹² Specifically, to qualify as a “local” applicant and merit the three established local applicant points, the FM translator applicant must propose to provide at least a 60 dBu signal strength to some portion of the proposed community of license. If the proposed translator does not provide at least a 60 dBu service to some portion of the identified community of license, the applicant does not qualify as “local” and cannot claim points as an established local applicant.¹³

Diversity of Ownership. To qualify for the two points for “diversity of ownership,” an applicant must certify that the 60 dBu contour of the proposed NCE FM translator station does not overlap with: (1) the principal community contour of any existing full-service AM, FM or LPFM radio station, or (2) the 60 dBu contour of any existing non-fill-in FM translator station, in which the applicant, or any party to the application, holds an attributable interest.¹⁴

We clarify that for purposes of determining diversity of ownership points, the principal community contour for full service commercial FM stations, NCE FM stations, *and* LPFM stations is the 3/16 mV/m (70 dBu) contour.¹⁵

Schedule 349 and Instructions. The FCC Form 2100, Schedule 349, FM Translator or FM Booster Station Construction Permit Application (Schedule 349) is now available for data entry in the Bureau’s Licensing Management System.

Instructions on completing each section of the Schedule 349 are available at:
<https://www.fcc.gov/sites/default/files/lms-349-construction-permit-application.pdf>.

For additional information on the filing window, contact James Bradshaw, James.Bradshaw@fcc.gov; Joseph Cohen, Joseph.Cohen@fcc.gov; Lisa Scanlan, Lisa.Scanlan@fcc.gov; or Amy Van de Kerckhove, Amy.Vandekerckhove@fcc.gov, of the Media Bureau, Audio Division, (202) 418-2700. Press inquiries should be directed to Nancy Murphy, Nancy.Murphy@fcc.gov, (202) 418-1043.

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¹² *Id.* § 73.7000.

¹³ This 60 dBu service requirement is only required for applicants claiming points as an established local applicant.

¹⁴ See 47 CFR § 73.7003(b)(2). To qualify for the diversity of ownership points, an applicant must submit either a contour map showing no overlap with the proposed NCE reserved band FM translator station, or a statement that the applicant holds no attributable interests in any nearby radio stations. See *June Procedures Public Notice*.

¹⁵ See 47 CFR § 73.7003(b)(2) (the “principal community (city grade) contour is the ...3.16 mV/m for FM stations calculated in accordance with § 73.313(c)"); see also *Reexamination of the Comparative Standards for Noncommercial Educational Applicants*, MM Docket No. 95-31, Report and Order, 15 FCC Rcd 7386, 7402, para. 36 (2000) (deciding “for purposes of considering diversity points, not to use larger contours (such as the 1 mV/m contour for FM radio...), which are used for applying other points”). The *June Procedures Public Notice* erroneously stated that for purposes of diversity of ownership points, the principal community contour for NCE FM stations is the 1 mV/m (60 dBu) contour, per section 73.515 of the rules. See *June Procedures Public Notice* at note 27.