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For Immediate Release**FCC PROPOSES RULES TO REIMBURSE LPTV, TV TRANSLATOR,
AND FM STATIONS FOR INCENTIVE AUCTION-RELATED
EXPENSES***Action Implements 2018 Reimbursement Expansion Act*

WASHINGTON, August 2, 2018—The Federal Communications Commission today proposed rules to implement a recent Congressional directive to reimburse certain Low Power TV (LPTV), TV translator, and FM stations for costs incurred as a result of the Commission's incentive auction.

When Congress authorized the incentive auction in 2012, it required the Commission to reimburse certain costs incurred by full power, Class A, and MVPD entities. The 2018 Reimbursement Expansion Act (REA) expanded the list of eligible entities to include LPTV, TV translator, and FM stations, provided additional funds to be used for this purpose, increased the funds available to reimburse full power and Class A stations and MVPDs, and provided funds to be used for consumer education purposes. As outlined in the statute, the Commission must adopt a Report and Order in this proceeding by March 23, 2019.

The Notice of Proposed Rulemaking tentatively concludes that LPTV and TV translator stations are eligible for reimbursement if (1) they filed an application during the Commission's Special Displacement Window and obtained a construction permit, and (2) were licensed and transmitting for at least nine of the twelve months prior to April 13, 2017, as required by the REA. It also tentatively concludes that both full power FM stations and FM translators that were licensed and transmitting on April 13, 2017, using the facilities affected by a repacked television station, are eligible for reimbursement. The NPRM proposes that this include FM stations that incur costs to permanently relocate, temporarily or permanently modify their facilities, or purchase or modify auxiliary facilities to provide service during work on a repacked television station's facilities. The NPRM further recommends a mechanism for reimbursing the newly eligible entities that is substantially similar to the process currently used by the Commission to reimburse full power and Class A licensees and MVPDs.

The Order portion of the item directs the Media Bureau to engage a contractor to assist in the administration of the Reimbursement Fund for LPTV/translator and FM stations and also directs the Bureau to make determinations regarding eligible costs and the reimbursement process. Finally, the Order discusses how the Commission plans to use the funds provided by the REA for consumer education.

Action by the Commission August 2, 2018 by Notice of Proposed Rulemaking and Order (FCC 18-113). Chairman Pai, Commissioners O’Rielly, Carr, and Rosenworcel approving. Chairman Pai, Commissioners O’Rielly and Carr issuing separate statements.

MB Docket No. 18-214; GN Docket No. 12-268

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