

**STATEMENT OF  
COMMISSIONER MICHAEL P. O'RIELLY**

Re: *Amendment of Section 73.624(g) of the Commission's Rules Regarding Submission of FCC Form 2100, Schedule G, Used to Report TV Stations' Ancillary or Supplementary Services and Amendment of Section 73.3580 of the Commission's Rules Regarding Public Notice of the Filing of Broadcast Applications*, MB Docket No. 17-264, *Modernization of Media Regulation Initiative*, MB Docket No. 17-105, and *Revision of the Public Notice Requirement of Section 72.2580*, MB Docket No. 05-6

When the Commission's modernization initiative launched in May, I had high expectations that it could generate quick results eliminating burdensome Commission requirements that no longer serve the public interest. This item does just that. I am also pleased to see that the two outdated regulations the Commission will address today are issues I originally raised when the modernization initiative first circulated: the elimination of FCC form submissions relating to ancillary or supplementary digital television income for parties that do not owe a fee, and updates to public notice requirements for certain broadcast applications.

First, the item addresses the requirement for nearly all television stations to file a form regarding a five percent DTV ancillary fee. As I have noted before, the report must be filed even if the answer is simply "no fee due." To put this in perspective, in 2016, of the more than 6,600 broadcasters who were required to file this form, the media bureau identified less than 15 stations that reported receiving revenue from their ancillary or supplemental service last year. I stated in May that this form can and should be eliminated for parties that do not owe a fee. I am pleased to see that this rulemaking tentatively concludes just that.

Second, the item examines the requirement for broadcasters to give public notice of certain applications in local newspapers. The item highlights that these requirements were adopted over half a century ago and that today there are many other ways the public can obtain this information, including in a broadcaster's public inspection file or through standard notices provided by the Commission. For these reasons, I support the full elimination of this reporting requirement. The item today also contemplates that if the public notice is maintained for some reason, whether to permit referral to an Internet website or to provide via on-air broadcasts. While I would prefer full elimination, if we do update the public notice requirement we should do so in a manner that is as flexible as possible. It took us over a half century to update this once, how much time will go by before we take another look?

Finally, the item raises other provisions in Part 73 of our rules with public notice requirements that also appear outdated. The Commission seeks comment on whether to revise these rules. I absolutely support such an endeavor.

I thank the Chairman for his leadership on this issue. I support this item and look forward to the additional reforms that will result from this larger modernization proceeding.