

Rules and Regulations

Federal Register

Vol. 91, No. 96

Tuesday, May 19, 2026

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 73, 74, and 76

[MB Docket No. 24–626; GN Docket No. 25–133; FCC 26–14; FR ID 346480]

Broadcast Station Rule Updates

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission or FCC) adopts updates to several broadcast radio and TV rules to better reflect current application processing requirements, clarify ambiguity, and remove references to outdated procedures and legacy filing systems. Such action ensures that the Commission’s rules are accurate, reducing potential confusion among the public, applicants, licensees, and practitioners, and alleviating unnecessary burdens.

DATES: Effective June 18, 2026.

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SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Report and Order (R&O), in MB Docket No. 24–626; GN Docket No. 25–133; FCC 26–14, adopted and released on March 25, 2026. The full text of this document is available by downloading the text from the Commission’s website at: <https://docs.fcc.gov/public/attachments/FCC-26-14A1.pdf>. Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format) by sending an email to fcc504@fcc.gov or calling the Commission’s Consumer and Government Affairs Bureau at (202) 418–0503.

Regulatory Flexibility Act. The Regulatory Flexibility Act of 1980, as

amended (RFA) requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that “the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.” Accordingly, the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) concerning the possible impact of the rule changes contained in the R&O on small entities. The FRFA is set forth in Appendix B of the R&O.

Paperwork Reduction Act of 1995 Analysis. This document contains no new or modified information collection requirements.

Congressional Review Act. The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, concurs, that this rule is “non-major” under the Congressional Review Act, 5 U.S.C. 804(2). The Commission will send a copy of the R&O to Congress and the Government Accountability Office pursuant to 5 U.S.C. 801(a)(1)(A).

Synopsis

I. Introduction

1. In the Report and Order (R&O) adopted and released on March 25, 2026, the Commission revises various broadcast radio and television regulations in parts 1, 73, 74 and 76 of title 47 of the CFR. The R&O updates rules to best reflect current application processing requirements, codify existing Media Bureau (Bureau) practices, and remove references to outdated licensing procedures. These revisions further the Commission’s continued effort to remove rules and processes that are no longer necessary, and ensure that our rules are clear and functional for licensees and the public.

II. Background

2. This R&O continues our efforts to update broadcast radio and television rules. In response to the Notice of Proposed Rulemaking (NPRM), FCC 24–126, 90 FR 13432, we received comments and replies from broadcast industry stakeholders who overwhelmingly support the majority of the proposed changes. We received mixed comments in response to our proposal to harmonize processing procedures for minor change LPFM

applications with the current processing procedures for minor change full service FM and FM translator applications, and in response to our proposal to revise the informal objection rule to require service of pleadings upon the relevant applicant and objector, limit the number of responsive pleadings, and impose filing deadlines. As detailed below, we adopt 13 of the proposals set out in the NPRM and decline to adopt the two remaining proposals.

III. Discussion

A. Replace References to CDBS With References to LMS

3. We amend §§ 1.5000(b), 1.5004(d)(2), 1.30001(d), 1.30004(a), 73.202(a), 73.3700(b)(5)(iv), and 76.66(d)(2)(ii) to replace references to the Bureau’s Consolidated Database System (CDBS) electronic filing system with references to the Bureau’s new Licensing and Management System (LMS) electronic filing system.

B. Update Form Names

4. We update §§ 73.30(c), 73.45(d)(1), 73.51(c), 73.311(a), 73.512(a), 73.625(c)(4)(i), 73.872(b)(1), 73.875, 73.1670(b), 73.1690(c)(9), 73.3580(d)(2), and 73.5002(b) to update application references from outdated form designations used in CDBS, such as “FCC Form 301,” to conform to current conventions used in LMS such as “FCC Form 2100, Schedule 301.”

C. Change Table of Assignments/ Allotments References To Conform to Existing Language

5. We update inconsistent terminology in Rule references to the tables governing FM and TV allotments, by amending §§ 1.401, 1.403, 1.420, and 73.3573 to correspond with the standard language used in §§ 73.202, 73.606, and 73.622; and change references in these sections from “FM Table of Allotments” to “Table of FM Allotments;” from “TV Table of Allotments” to “Table of TV Allotments;” from “FM Table of Assignments” to “Table of FM Allotments;” and from “TV Table of Assignments” to “Table of TV Allotments.”

D. Eliminate § 73.503(g), the 2021 NCE FM Window Application Cap

6. In the NPRM, we proposed to eliminate the 10 application cap on the number of applications each applicant

could submit in the 2021 NCE FM filing window, as mandated in § 73.503(g) of the Commission's rules. While the filing window has passed, several applications remain pending from the 2021 NCE FM window. We therefore delegate authority to the Bureau to remove § 73.503(g) from our rules once the applications are final and therefore no longer subject to reconsideration or administrative or judicial review.

E. Eliminate AM Station Power Increase Restrictions

7. We update our rules for AM station power increases to eliminate the requirement that stations request at least a 20% increase in nominal power; and update AM station classifications to conform to current classifications used in the Class B and Class D definitions in § 73.21(a)(2) and (3) of our rules and international agreements. We amend § 73.3571(e)(1) through (4), to reflect these changes. We also relocate the Note to the text of § 73.3571, to conform with publishing conventions of the National Archives and Records Administration's Office of the Federal Register.

F. Post-Incentive Auction Viewer and MVPD Notification Requirements

8. We remove obsolete rule language and notice requirements that had been adopted to implement the broadcast television spectrum incentive auction. Because the post-incentive auction transition period concluded on July 3, 2020, post-incentive auction notice provisions are now outdated. We delete the post-incentive auction transition consumer notification requirements in § 73.3700(c) and revise the MVPD notice provisions for ATSC 3.0 stations in §§ 73.3801(h)(4)(i), 73.6029(h)(4)(i), and 74.782(i)(4)(i) by eliminating the extended notice period for repacked stations and removing the reference to the post-incentive auction transition period. In addition, we delete § 73.3700(i), which relates to TV broadcast station operations above channel 37 (614–698 MHz, the so-called "600 MHz Band").

G. Update § 73.870, Processing LPFM Minor Modification Applications

9. We proposed in the NPRM to codify the existing interpretation of § 73.870(e) that LPFM minor modification applications received on the same day will be treated as simultaneously filed and, if mutually exclusive, directed to use engineering solutions and good-faith negotiation to resolve the mutual exclusivity. We received conflicting comments in response to the NPRM. While NAB agrees with the NPRM's proposed

approach, pointing out that it would make the processing rules consistent with treatment of applications in other similar services, three other commenters oppose the proposal. Several commenters suggest that we should move to a true first-come, first-served approach based on the exact time of day an application is received, since application submission order can be determined using receipt time stamps, a technical capability not previously available in CDBS but now available in LMS.

10. REC also suggests that we broaden the scope of commenters' alternative proposal to apply a receipt time stamp approach to all other services, rather than just LPFM minor modification applications received on the same day. While this alternative proposal goes beyond the scope of the specific rule revisions posed here, we may consider the proposal in a separate future proceeding in which we can fully assess implementing time stamp receipt technology in the context of first-come, first-served procedures for minor modification applications, not just for the LPFM service, but for all services going forward.

11. We decline to codify in the Commission's rules the Bureau's existing interpretation of § 73.870(e) at this time, and the Bureau should continue to rely on existing precedent, as appropriate, whereby LPFM minor modification applications received on the same day will be treated as simultaneously filed and, if mutually exclusive, directed to use engineering solutions and good-faith negotiation to resolve the mutual exclusivity.

H. Revisions to § 73.807, Minimum Distance Separation Between Stations

1. Codification of Definition of the Term "Authorized" Station

12. We codify in § 73.807(a) and (c) of the Commission's rules the existing interpretation of the term "authorized" stations as including both licensed stations and/or granted construction permits for FM, LPFM, and FM translator stations.

2. Prior-Filed Application Protections

13. In the NPRM we proposed to modify §§ 73.807(a)(1) and 73.807(c) to state that LPFM applicants must protect FM, LPFM, and FM translator applications submitted prior to a public notice announcing the procedures for an LPFM filing window. The NPRM also proposed to remove the reference to "cutoff FM translator applications" as redundant and potentially confusing.

14. In order to safeguard the integrity of the filing window and the application filing process, the Bureau must retain flexibility and discretion to issue multiple public notices, should circumstances require. More than one public notice may be necessary given the particularities of future application filing windows. Accordingly, we modify §§ 73.807(a)(1) and 73.807(c) to state that FM, LPFM, and FM translator applications filed prior to the release of the public notice announcing the filing procedures that will apply to any upcoming LPFM application filing window must be protected under these rule sections. We clarify that a public notice which simply announces an upcoming filing window would not terminate protection requirements for prior-filed applications under §§ 73.807(a)(1) and 73.807(c). We also remove the potentially confusing reference to "cutoff FM translator applications" in § 73.807(c).

I. Revise the Signature Rule

15. In the NPRM, the Commission proposed to: (1) codify the existing interpretation of the Signature Rule (§ 73.3513), applicable to all broadcast services, that "directors" of corporations may sign applications; (2) expand the definition of who may sign an application on behalf of a corporation, a partnership, and an unincorporated association, to include a "duly authorized employee;" and (3) clarify that the term "signed," for applications submitted in LMS, includes an electronic signature.

16. We amend § 73.3513 to codify the existing interpretation of the Signature Rule that directors of corporations may sign applications. Prometheus, REC, and Common Frequency all support this addition, and no commenter opposes it. Accordingly, we adopt the change as proposed in the NPRM. Next, we clarify that the term "signed," for applications submitted in LMS, includes an electronic signature. No commenter opposed this proposal, and we therefore adopt this additional modification to § 73.3513.

17. The NPRM also proposed to expand the Signature Rule to permit a corporation, partnership, or unincorporated association to designate a "duly authorized employee," to sign applications or amendments on its behalf rather than continuing to require a signature from an officer. Prometheus, Public Broadcasters, and Common Frequency support the proposal. Prometheus and Public Broadcasters also make additional suggestions to expand flexibility. REC supports the change only in a limited circumstance.

18. Prometheus agrees that the current rule leads to far too many otherwise qualified organizations having applications dismissed without an opportunity to amend. In conjunction with its endorsement of expanding the Signature Rule and allowing “duly authorized employees” to sign applications, Prometheus encourages the Commission to define the term broadly to “include the part-time, contract, and volunteer roles often held by nonprofit professionals in corporations, associations, and other civic and religious organizations.” Common Frequency also agrees with the option to designate a “duly authorized employee” to sign applications or amendments, and contends that any employee of the organization, or in the case of volunteer nonprofits, any person at the nonprofit with a position title, *i.e.* “Executive Director” or “Pastor,” should have authority to sign and file an application. Public Broadcasters likewise supports the proposal to allow duly authorized employee signatures and certifications, but requests extension of this flexibility to allow duly authorized employees of governmental entities to sign Commission applications.

19. REC does not generally support expanding the definition of who may sign an application. It states that the Commission must approach this issue from a public interest standpoint that maintains the integrity of the meaning of the signature on the application and the accountability that goes with it, in order to prevent abuse of process. REC counters that, for the integrity of the application, the applicant’s organization and the LPFM and NCE broadcast services in general, in the case of corporations, the application signatory must be a person with an attributable interest in the applicant entity, such as an officer or director. However, REC does support allowing a “duly authorized employee” to sign on behalf of a physically disabled board member.

20. We adopt the proposal to expand the definition of who may sign an application on behalf of a corporation, a partnership, and an unincorporated association, to include a “duly authorized employee,” and we adopt the proposed changes to § 73.3513(a). We also revise the Signature Rule to allow a “duly authorized employee” of a governmental entity to sign an application. Additionally, in light of commenters’ requests, while we codify the term “duly authorized employee,” we direct the Bureau to interpret the term “employee” broadly, as circumstances may require, to take account of all types of employees

(whether paid or unpaid) and the varied roles and positions that each organization and entity may utilize.

21. To address REC’s observation that the majority of the applications with Signature Rule defects in the 2023 LPFM window were signed by consultants and technicians that were not under the “direct employ of the organization,” we clarify that the term “duly authorized employee” will therefore not include independent consultants or other third party professionals outside of the applicant organization.

22. In response to the NPRM’s proposal, commenters also seek an opportunity to amend or correct Signature Rule violations. REC argues that if an application is dismissed due to a Signature Rule violation, that the application should be eligible for nunc pro tunc reinstatement. We decline to adopt this proposal. We note that the Commission has found that strict adherence to signature requirements is critical in holding applicants accountable for the truthfulness and accuracy of their applications. We anticipate that our broadening of the definition of who can certify and sign an application to include a “duly authorized employee” will significantly decrease the number of Signature Rule violations and application dismissals. Moreover, we are directing the Bureau to interpret the term “employee” broadly. We expect that this expanded processing policy will reduce prospective Signature Rule violations and application signature defects, while at the same time will safeguard the integrity of the Commission’s processes that the Signature Rule was designed to protect. We therefore decline to modify the current curative amendment or nunc pro tunc reinstatement procedures for application dismissals for Signature Rule violations.

J. Local Public Notice Requirement After Acceptance for Filing

23. The NPRM proposed to codify the established practice concerning when applicants for new NCE FM, NCE TV, or LPFM construction permits must give local public notice of their applications. Section 73.3580 of our rules sets out what types of applicants and licensees are required to provide local public notice, what applications trigger the requirement, the timing of the notice, and the content of the notice. The current rule provides that the Commission’s release of an “acceptance public notice” of a newly filed application triggers the applicant’s local public notice obligation. However, the current rule does not specify all of the

ways that the Commission announces tentative selectees for new NCE FM, NCE TV, and LPFM construction permits, and accepts the tentative selectees’ application for filing, which can take various forms.

24. Therefore, the NPRM proposal sought to codify the various scenarios under which certain applications are accepted for filing, for purposes of triggering an applicant’s local public notice obligation, and proposed to amend §§ 73.3580(a)(1), 73.7002(b), 73.7003(a), and 73.872(a) to indicate that the “acceptance for filing” of tentative selectee(s) in a 307(b) Order, NCE Comparative Points Order, or LPFM MX Tentative Selectee Order, triggers the applicant’s local public notice obligation in § 73.3580. The NPRM also proposed to revise § 73.3580(a)(1) to define “an acceptance public notice” as a Commission or Bureau public notice announcing that an application has been accepted for filing, or an equivalent Order accepting for filing applications from a filing window under §§ 73.7002, 73.7003 or 73.872.

25. Accordingly, we: (1) amend § 73.7002(b) to indicate that the “acceptance for filing” of the various tentative selectee(s) in a 307(b) Order triggers the applicant’s local public notice obligation; (2) amend § 73.7003(a) to indicate that the “acceptance for filing” of the various tentative selectee(s) in an NCE Comparative Points Order triggers the applicant’s local public notice obligation; (3) amend § 73.872(a) to indicate that the “acceptance for filing” of the various tentative selectee(s) in an LPFM MX Tentative Selectee Order or Public Notice, triggers the applicant’s local public notice obligation; and (4) revise § 73.3580(a)(1) to define “an acceptance public notice” as a Commission or Bureau public notice announcing that an application has been accepted for filing, or an equivalent Order accepting for filing applications from a filing window under §§ 73.7002, 73.7003 or 73.872.

K. Remove 90-Day STA Restriction Necessitated by Technical or Equipment Problems

26. We amend § 73.1635(a)(4) to remove language providing that an initial STA necessitated by technical or equipment problems may only be granted for 90 days with a limited number of 90-day extensions, rather than the full 180-day period permitted for STAs for other reasons. We will also correct a typo in the fourth sentence of paragraph (a)(4) by replacing

“expeditions” with “expeditious.” No commenters objected to this change.

L. Remove Obsolete Application Processing Language

27. The NPRM proposed to modify various application processing rules to remove and/or revise references to application processing procedures that are no longer used, including, for example, replacing “tendered for filing” terminology with “filed,” and removing obsolete paper-filing references.

28. These include: § 73.37(c), which addresses application requirements for new AM stations; § 73.3516(e), which sets forth the process for filing a petition to deny during a license renewal proceeding; §§ 73.3526 and 73.3527, which describe required online public inspection file documents; § 73.3573(f)(1), which outlines the processing of FM applications; § 73.3578(a), which concerns amendments to applications; § 73.3591(b), which explains the processing of applications without a hearing; and § 73.3597(b)(2), which addresses the processing of transfer and assignment applications. We also delete all obsolete paper-filing procedure references from § 73.3564(a), and replace the term “tendered for filing” with “filed” throughout § 73.3564. We further delete § 73.3564(c) references to cut-off procedures for reserved band FM NCE applications that have since been eliminated by the Commission in favor of a filing window approach. Lastly, we remove Note 1 to § 73.3522, which reflects amendment processing procedures that have been eliminated with the implementation of electronic filing. We delegate authority to the Bureau to update LMS to display application statuses based on our rules, including the changes adopted herein. The Bureau is instructed to issue a Public Notice once the LMS updates have been completed and explain the system revisions.

M. Redesignate Renewal Application Petition To Deny Rule

29. We consolidate our rules for petitions to deny under a single rule; § 73.3584. Accordingly, we redesignate the revised § 73.3516(e) as a new paragraph (f) to rule § 73.3584. We also replace cross-references to current § 73.3516(e) with references to redesignated § 73.3584(f).

N. Revise the Informal Objection Rule

30. In the NPRM, we proposed to: (1) require that informal objections and responsive pleadings be served upon the relevant applicant or objector; (2) limit the type of responsive pleadings that

may be filed; and (3) impose filing deadlines for responsive pleadings that aligned with the limitations set for responsive pleadings to petitions to deny.

31. Four commenters support requiring service on the applicant. NAB argues that a service requirement for informal objections will afford opportunity for the applicant to respond and will improve staff processing efficiency without needing to act as an intermediary. Prometheus agrees that informal objectors should notify the applicant and every contact representative by email or surface mail. Public Broadcasters observes that these common-sense updates will provide clarity and improve organization regarding the procedures. Two commenters also propose that service be implemented using LMS, via automatic email notifications to the applicant of any pleadings filed.

32. REC opposes adding any restrictions to the informal objection process, arguing that: (1) informal objections are a critical tool to combat gamesmanship; (2) LPFM and NCE community “watchdogs” use the mechanism to maintain application and service integrity; (3) informal objections allow unsophisticated members of the public to participate without an attorney; and (4) the service requirement is not in the public interest because it would create a barrier to stations’ obligation to allow for participation from local listeners. REC also expresses concern that applicants could exploit procedural requirements to get informal objections dismissed.

33. We also received mixed comments regarding the proposal to limit responsive pleading types to one opposition and one reply. REC opposes limiting responsive pleadings to one opposition and one reply because new information may occur outside of the proposed deadlines, and objectors require flexibility with respect to supplemental pleadings. NAB, Public Broadcasters, and Common Frequency agree with limiting the type of responsive pleadings allowed to one opposition and one reply. Similarly, we received mixed support regarding the proposal to implement filing deadlines for responsive pleadings. REC supports use of time limits for responsive pleadings, and NAB supports “appropriate response timelines,” but proposes relaxation of the deadlines for “bona fide” objections filed by inexperienced parties. Common Frequency maintains that pleading time restrictions should only apply to renewal applications, and opposes

deadlines for informal objections filed against non-renewal applications.

34. We are persuaded by the concerns REC raises regarding imposing new requirements and restrictions on the informal objection process, and we conclude that the current rule strikes an appropriate balance to promote critical participation from members of the public in our application filing and licensing proceedings. We therefore decline to adopt these specific changes at this time.

IV. Final Regulatory Flexibility Analysis

35. As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Federal Communications Commission (Commission) incorporated an Initial Regulatory Flexibility Analysis (IRFA) in the Amendment of Parts 1, 73, 74 and 76 of the Commission’s rules to Update rules Applicable to Broadcast Stations, Notice of Proposed Rulemaking (NPRM), released in December 2024. The Commission sought written public comment on the proposals in the NPRM, including comment on the IRFA. No comments were filed addressing the IRFA; however, we discuss relevant comments and related proposals that may impact small entities below. This Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA and it (or summaries thereof) will be published in the **Federal Register**.

A. Need for, and Objectives of, the Proposed Rules

36. The R&O updates the Commission’s rules by revising various broadcast radio and television regulations in parts 1, 73, 74, and 76 of title 47 of the Code of Federal Regulations (CFR). The proposals adopted therein revise rules to best reflect current application processing requirements, codify existing Media Bureau (Bureau) practices, and remove references to outdated licensing procedures. These revisions further the Commission’s continued effort to remove rules and processes that are no longer necessary, and ensure that our rules are clear and functional for licensees and the public.

37. Specifically, the R&O: (1) replaces references to the Bureau’s legacy Consolidated Database System (CDBS) electronic filing system with references to the new Licensing and Management System (LMS) electronic filing system; (2) updates rules to correspond to the form naming conventions used in LMS; (3) changes table of assignments/allotments references to conform to current standard language; (4) delegates

authority to the Bureau to remove a ten application cap adopted for the 2021 Noncommercial (NCE) FM new station application window, upon finality of the remaining NCE FM applications; (5) updates the AM station power increase rules to eliminate the requirement that stations seeking facility modifications request at least a 20% increase in power and to reflect current AM station classifications and other administrative updates; (6) updates the TV rules to remove obsolete language concerning the now-completed incentive auction; (7) codifies in § 73.807 of the Commission's rules the existing interpretation of the term "authorized" stations to include both licensed stations and/or granted construction permits; (8) modifies §§ 73.807(a)(1) and 73.807(c) of the Commission's rules to clarify that a low power FM (LPFM) applicant submitting an application in a filing window for a new construction permit or modification of an existing LPFM authorization must protect FM, LPFM, and FM translator applications submitted prior to a public notice announcing the procedures for an LPFM filing window; (9) modifies the Signature Rule, which currently states that only officers can sign applications, to allow a "duly authorized employee" to sign, and codifies the existing rule interpretation that directors may sign applications; (10) clarifies the rules concerning when an applicant for a new Noncommercial Educational (NCE) FM, NCE TV, or LPFM construction permit must give local public notice of its application; (11) removes language limiting grant of certain Special Temporary Authority (STA) submissions to 90 days, rather than the full 180-day period permitted for other reasons; (12) modifies the application processing rules to remove and revise references to various procedures that are now obsolete; and (13) consolidates the rules for petitions to deny license renewal applications under a single rule section.

38. In response to the NPRM, we received comments and replies from broadcast industry stakeholders who overwhelmingly support the majority of the proposed changes. We received mixed comments in response to our proposal to harmonize processing procedures for minor change LPFM applications with the current processing procedures for minor change full service FM and FM translator applications, and in response to our proposal to revise the informal objection rule to require service of pleadings upon the relevant applicant and objector, limit the number of responsive pleadings, and impose

filing deadlines. While these two proposals were significant, the record on these proposals is mixed and lacks clear support from commenters. Therefore we decline to adopt these two specific changes in the R&O.

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

39. Though no comments were filed directly addressing the IRFA, a number of comments were submitted regarding proposals that may impact small entities. We received substantive comments for the following five proposals: (1) updating the AM station power increase rules to eliminate the requirement that stations seeking facility modifications request at least a 20% increase in power, and to reflect current AM station classifications; (2) modifying §§ 73.807(a)(1) and 73.807(c) to clarify that an LPFM applicant submitting an application in a filing window for a new construction permit or modification of an existing LPFM authorization must protect FM, LPFM, and FM translator applications submitted prior to a public notice announcing the procedures for the LPFM filing window; (3) modifying the Signature Rule to allow a "duly authorized employee" to sign, and codifying the existing rule interpretation that directors may sign applications; (4) clarifying the rules concerning when an applicant for a new NCE FM, NCE TV, or LPFM construction permit must give local public notice of its application; and (5) removing language limiting grant of certain Special Temporary Authority (STA) submissions to 90 days, rather than the full 180-day period permitted for other reasons.

40. We received a robust record on these five significant proposals. For example, Prometheus, REC, and NAB support the AM power increase rule revisions and agree that the changes would offer increased flexibility to AM broadcasters. NAB also maintains that eliminating the 20% minimum increase in power requirement will help AM stations achieve required community of license coverage, and contribute to the elimination of minimum efficiency requirements for AM stations. Commenters largely support codifying the term "authorized" to include both licensed stations and/or granted construction permits as proposed. REC argued there should only be one public notice released prior to an LPFM filing window, and that it should contain all of the relevant window information and filing procedures. NAB argued that a public notice that only announces future filing window dates should not

trigger the rule's protections. We also received varied responses regarding our proposed changes to the Signature Rule. Prometheus and Public Broadcasters support the changes, and feel the term "duly authorized employee" should be interpreted broadly. Public Broadcasters also requested that it be extended to government entities, in order to alleviate the burdensome requirement that a high-level government official must be the signatory. REC opposed our proposed changes, arguing that the signatory must be a person with a presumed attributable interest in the application, such as an officer or director. Prometheus and REC both proposed allowing nunc pro tunc reinstatement and curative amendments for signature rule violations. Regarding when an NCE applicant must give local public notice of its application, REC and Public Broadcasters supported the proposed rule updates. In addition, Prometheus and REC requested that we update LMS to display an "accepted for filing" application status. Lastly, commenters support removing the 90-day grant restriction on technical STAs; NAB agreed that this reduces burdens on both applicants and FCC staff. Public Broadcasters also agreed it would greatly benefit from this extension of the STA term, which is more realistic, given the time it takes to procure and replace technical equipment. We discuss these proposals and other alternatives that minimize the impact on small broadcasters in section F.

C. Response to Comments by the Chief Counsel for the Small Business Administration Office of Advocacy

41. Pursuant to the Small Business Jobs Act of 2010, which amended the RFA, the Commission is required to respond to any comments filed by the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy, and also provide a detailed statement of any change made to the proposed rules as a result of those comments. The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

D. Description and Estimate of the Number of Small Entities to Which the Rules Will Apply

42. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the adopted rules. The RFA generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction." In addition, the term "small business"

has the same meaning as the term “small business concern” under the Small Business Act. A “small business concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA. The SBA establishes small business size standards that agencies are required to use when promulgating regulations relating to small businesses; agencies may establish alternative size standards for use in such programs, but must consult and obtain approval from SBA before doing so.

43. Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe three broad groups of small

entities that could be directly affected by our actions. In general, a small business is an independent business having fewer than 500 employees. These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75 million businesses. Next, “small organizations” are not-for-profit enterprises that are independently owned and operated and are not dominant in their field. While we do not have data regarding the number of non-profits that meet that criteria, over 99 percent of nonprofits have fewer than 500 employees. Finally, “small governmental jurisdictions” are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand. Based on the 2022

U.S. Census of Governments data, we estimate that at least 48,724 out of 90,835 local government jurisdictions have a population of less than 50,000.

44. The rules adopted in the R&O will apply to small entities in the industries identified in the chart below by their six-digit North American Industry Classification System (NAICS) codes and corresponding SBA size standard. Based on currently available U.S. Census data regarding the estimated number of small firms in each identified industry, we conclude that the adopted rules will impact a substantial number of small entities. Where available, we also provide additional information regarding the number of potentially affected entities in the identified industries below.

TABLE 1—2022 U.S. CENSUS BUREAU DATA BY NAICS CODE

Regulated Industry (footnotes specify potentially affected entities within a regulated industry where applicable)	NAICS code	SBA size standard	Total firms	Total small firms	% small firms
Radio Broadcasting Stations	516110	\$47 million	2,616	2,136	81.65%
Television Broadcasting Stations	516120	\$47 million	413	316	76.51%

TABLE 2—BROADCAST ENTITY DATA

Broadcast station owners (as of August 8, 2025)	SBA size standard (\$47 Million)			
	Affected entity	# commercial licensed	Small firms	% Small entities
Radio Stations (AM & FM) Groups		2,881	2,863	99.38
Television Stations		171	142	83.04

E. Description of Economic Impact and Projected Reporting, Recordkeeping and Other Compliance Requirements for Small Entities

45. The RFA directs agencies to describe the economic impact of adopted rules on small entities, as well as projected reporting, recordkeeping and other compliance requirements, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record.

46. As discussed above, the R&O updates various broadcast radio and television regulations in Parts 1, 73, 74, and 76 of title 47 the CFR. The proposals adopted in the R&O amend existing rules to better reflect current application processing requirements, codify existing Media Bureau practices, clarify and harmonize rule provisions, and remove references to outdated procedures and legacy filing systems. These included, for example, replacing references to the legacy database system;

changing table of allotment references to conform to current language; updating rules to correspond to the application form naming conventions used in the new LMS electronic filing system; updating the TV rules to remove obsolete language concerning the no-completed incentive auction; codifying the existing interpretation of the term “authorized stations” to include both licensed stations and granted construction permits; and consolidating the rules for petitions to deny license renewal applications under a single rule section. The Commission seeks comment on whether any of the burdens associated the filing, recordkeeping and reporting requirements described in the NPRM can be minimized for small entities. The Commission is open to considering alternatives to the rules proposed in the NPRM, including but not limited to alternatives that will minimize significant economic burdens on small and other broadcasters.

47. The other rule revisions do not impose additional reporting requirements or compliance

requirements for small entities, but rather, reduce and/or clarify compliance burdens. For example, the R&O eliminates the requirement that an AM station requesting to increase power must propose at least a 20% increase in the station’s nominal power. Elimination of this requirement will provide AM broadcasters with greater flexibility and thus allow for new opportunities for stations to optimize their technical operations. The R&O also revises the minimum distance separation rule for new and modified LPFM applications to clarify which prior-filed applications must be protected; defines an “authorized station” that must be protected; and clarifies that a public notice that just announces the filing window dates will not serve to terminate protection requirements for prior-filed applications. These clarifications will help small entities understand their compliance obligations, thus reducing the amount of time and financial resources broadcast applicants incur.

48. The R&O further defines the term “acceptance public notice,” which triggers the local public notice obligations for applicants for new NCE FM, NCE TV, or LPFM construction permits, many of whom are small entities. The rule currently only addresses an application’s acceptance for filing vis-a-vis a routinely released LMS Public Notice, but the rule revisions in the Report and Order clarify that certain types of NCE construction permit applications are “accepted for filing” by Orders and documents other than a standard LMS-issued Acceptance public notice. While this change simply codifies an existing interpretation, it will help applicants understand and thus better comply with their local notice obligations.

49. The R&O also removes language providing that an initial STA required by technical or equipment problems may only be granted for 90 days with a limited number of 90-day extensions, rather than the full 180-day period permitted for STAs for other reasons, which will ease the regulatory burden on small entities. Applicants seeking a technical STA currently have to file STA requests twice as often as applicants for other STAs—90 days instead of 180 days. However, as commenters note, station technical problems often require at least 180 days to order equipment and complete the repairs. Therefore, this revision allows stations to reduce their STA filing requirements in half.

50. In addition, the R&O expands the definition of who may sign a certification beyond an officer of the corporation, a partner in the partnership, a member who is an officer of the unincorporated association, or a governmental entity to include a “duly authorized employee,” similar to rules used by other bureaus and offices that allow for directors and authorized employees to sign applications and amendments for the organization. This revision will help small entities avoid signature rule violations, reduce the number of application dismissals, and avoid excessive costs associated with responding to petitions to deny.

51. All of the above changes will promote application efficiency and shorter application processing times. In determining the economic impact and projected compliance requirements for small and other entities, in the NPRM, the Commission sought comment on the costs and benefits associated with the proposals made in the NPRM. However, no commenters directly addressed this inquiry.

F. Discussion of Steps Taken To Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered

52. The RFA requires an agency to provide, “a description of the steps the agency has taken to minimize the significant economic impact on small entities. . . including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.”

53. In the NPRM, the Commission considered alternatives such as retaining the existing rules, while taking steps to amend other related rules to further improve the accuracy of the CFR, many of which may minimize the impact of the regulations on small broadcasters. For example, in proposing to revise the Signature Rule, we considered whether to permit a “duly authorized employee” to sign for the corporation, partnership or unincorporated association, or, in the alternative, to maintain our current rules requiring officers, partners, or members who are officers to sign, which often results in application dismissals. Public Broadcasters noted that, for governmental organizations, the current rule is burdensome and requires signatures from high-level officials in large organizations, which are often difficult to obtain. We therefore considered adding “duly authorized employee” to the rule defining who may sign on behalf of a governmental entity applicant. We also considered whether we should limit “duly authorized employee” to specific employees, and how this decision, if adopted, might impact small broadcasters that may not be represented by counsel. In the R&O, to minimize the impact on small and other entities, and to prevent dismissal of applications for signature rule violations, the Commission now allows duly authorized employees to sign applications on behalf of partnerships, corporations, unincorporated associations, and governmental entities. We also considered updating our processing procedures to allow for curative amendments or nunc pro tunc reinstatement procedures to remedy signature rule violations, but ultimately declined to do so because strict adherence to signature requirements is critical in holding applicants accountable for the truthfulness and accuracy of their applications. We anticipate that the increased processing flexibility for signature rule compliance

will ease compliance burdens for small entities and result in a significant reduction of rule violations.

54. We similarly considered leaving the technical STA filing requirement at 90 days, but based on comments, decided that revising the rule, to the allow for the full 180-day period permitted for STAs for other reasons, would result in fewer burdens and application processing obligations. NAB agreed with this approach, noting that it reduces burdens on both applicants and staff. Public Broadcasters also noted that applicants will greatly benefit from this revision because the longer term more realistically reflects the time it takes to procure and replace defective technical equipment. Commenters generally agreed with our proposal to update the AM station power increase rules to eliminate the requirement that stations seeking facility modifications request at least a 20% increase in power, which will reduce compliance burdens for these small entities.

55. As discussed in section B, REC and NAB proposed certain modifications to the prior-filed application protections found in §§ 73.807(a)(1) and 73.807(c) of the Commission’s rules. We did not adopt those alternatives because the modifications in the Report and Order clarify that a public notice, which simply announces an upcoming filing window, would not terminate protection requirements for prior-filed applications under the applicable rules.

56. Lastly, we declined to adopt the proposal in the NPRM to codify the existing interpretation of § 73.870(e) that LPFM minor modification applications received on the same day will be treated as simultaneously filed and, if mutually exclusive, directed to use engineering solutions and good-faith negotiation to resolve the mutual exclusivity. There was a general lack of support from commenters, with some alternatively proposing that the Commission move to a true first-come, first-served approach based on the exact time of day an application is received. This alternative goes beyond the scope of the rule revisions posed in this proceeding, and will not be adopted at this time.

G. Report to Congress

57. The Commission will send a copy of the Report and Order, including this Final Regulatory Flexibility Analysis, in a report to Congress pursuant to the Congressional Review Act. In addition, the Commission will send a copy of the Report and Order, including this Final Regulatory Flexibility Analysis, to the Chief Counsel for the SBA Office of Advocacy and will publish a copy of the

Report and Order, and this Final Regulatory Flexibility Analysis (or summaries thereof) in the **Federal Register**.

V. Ordering Clauses

58. Accordingly, *it is ordered* that, pursuant to the authority found in sections 1, 4, 7, 301, 302, 303, 307, 308, 309, 310, 316, 319, 324, and 336 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154, 157, 301, 302a, 303, 307, 308, 309, 310, 316, 319, 324, and 336, this Report and Order *is adopted* and *shall become effective* 30 days after publication in the **Federal Register**.

59. 47. *It is further ordered* that, pursuant to the authority found in sections 1, 4, 7, 301, 302, 303, 307, 308, 309, 310, 316, 319, 324, and 336 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154, 157, 301, 302a, 303, 307, 308, 309, 310, 316, 319, 324, and 336, the Commission's rules *are amended* as set forth in Appendix A and such amendments shall be effective 30 days after publication in the **Federal Register**.

60. *It is further ordered* that the Media Bureau is *delegated* authority to remove § 73.503(g) in accordance with the terms set forth herein.

61. *It is further ordered* that the Commission's Office of the Secretary, *shall send* a copy of this Report and Order, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy.

62. *It is further ordered* that the Office of the Managing Director, Performance Program Management *shall send* a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

63. *It is further ordered* that should no petitions for reconsideration or petitions for judicial review be timely filed, MB Docket No. 24–626 *shall be terminated*, and the docket closed.

List of Subjects

47 CFR Part 1

Administrative Practice and Procedure, Radio, Reporting and recordkeeping requirements, Television.

47 CFR Parts 73 and 74

Communications equipment, Radio, Reporting and recordkeeping requirements, Television.

47 CFR Part 76

Television.

Federal Communications Commission.

Aleta Bowers,

Federal Register Liaison Officer, Office of the Secretary.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 1, 73, 74, and 76 as follows:

PART 1—PRACTICE AND PROCEDURE

■ 1. The authority citation for part 1 continues to read as follows:

Authority: 47 U.S.C. chs. 2, 5, 9, 13; 28 U.S.C. 2461 note; 47 U.S.C. 1754, unless otherwise noted.

■ 2. Amend § 1.401 by revising paragraph (d) to read as follows:

§ 1.401 Petitions for rulemaking.

* * * * *

(d) Petitions for amendment of the Table of FM Allotments (§ 73.202 of this chapter) or the Table of TV Allotments (§ 73.622 of this chapter) shall be served by petitioner on any Commission licensee or permittee whose channel assignment would be changed by grant of the petition. The petition shall be accompanied by a certificate of service on such licensees or permittees. Petitions to amend the Table of FM Allotments must be accompanied by the appropriate construction permit application and payment of the appropriate application filing fee.

* * * * *

■ 3. Revise § 1.403 to read as follows:

§ 1.403 Notice and availability.

All petitions for rulemaking (other than petitions to amend the Table of FM Allotments, Table of TV Allotments, and Air-Ground Table of Assignments) meeting the requirements of § 1.401 will be given a file number and, promptly thereafter, a “Public Notice” will be issued (by means of a Commission release entitled “Petitions for Rule Making Filed”) as to the petition, file number, nature of the proposal, and date of filing. Petitions for rulemaking are available through the Commission's Reference Information Center at the FCC's main office, and electronically at <https://www.fcc.gov>.

■ 4. Amend § 1.420 by:

■ a. Revising the section heading, and paragraphs (a) and (b);

■ b. Redesignating the note to paragraph (g) as Note 1 to paragraph (g);

■ c. Redesignating Note 1 to paragraph (h) as Note 2 to paragraph (h);

■ d. Revising paragraph (j) introductory text and the note at the end of the section.

The revisions read as follows:

§ 1.420 Additional procedures in proceedings for amendment of the Table of FM Allotments, the Table of TV Allotments, or for amendment of certain FM assignments.

(a) Comments filed in proceedings for amendment of the Table of FM Allotments (§ 73.202 of this chapter) or the Table of TV Allotments (§ 73.622(j) of this chapter) which are initiated on a petition for rule making shall be served on petitioner by the person who files the comments.

(b) Reply comments filed in proceedings for amendment of the Table of FM Allotments or the Table of TV Allotments shall be served on the person(s) who filed the comments to which the reply is directed.

* * * * *

(j) Whenever an expression of interest in applying for, constructing, and operating a station has been filed in a proceeding to amend the Table of FM Allotments or the Table of TV Allotments, and the filing party seeks to dismiss or withdraw the expression of interest, either unilaterally or in exchange for financial consideration, that party must file with the Commission a request for approval of the dismissal or withdrawal, a copy of any written agreement related to the dismissal or withdrawal, and an affidavit setting forth:

* * * * *

Note 3 to § 1.420: The reclassification of a Class C station in accordance with the procedure set forth in Note 4 to § 73.3573 of this chapter may be initiated through the filing of an original petition for amendment of the Table of FM Allotments. The Commission will notify the affected Class C station licensee of the proposed reclassification by issuing a notice of proposed rulemaking, except that where a triggering petition proposes an amendment or amendments to the Table of FM Allotments in addition to the proposed reclassification, the Commission will issue an order to show cause as set forth in Note 4 to § 73.3573 of this chapter, and a notice of proposed rulemaking will be issued only after the reclassification issue is resolved. Triggering petitions will be dismissed upon the filing, rather than the grant, of an acceptable construction permit application to increase antenna height to at least 451 meters HAAT by a subject Class C station.

■ 5. Amend § 1.5000 by revising the third sentence of paragraph (b)(1) to read as follows:

§ 1.5000 Citizenship and filing requirements under section 310(b) of the Communications Act of 1934, as amended.

* * * * *

(b) * * *

(1) * * * Petitions for declaratory ruling required by paragraph (a) of this section involving broadcast stations only shall be filed electronically on the internet through the Media Bureau's Licensing and Management System (LMS) or any successor system thereto when submitted to the Commission as part of an application for a construction permit, assignment, or transfer of control of a broadcast license; if there is no associated construction permit, assignment or transfer of control application, petitions for declaratory ruling should be filed with the Office of the Secretary via the Commission's Electronic Comment Filing System (ECFS).

* * * * *

■ 6. Amend § 1.5004 by revising the third sentence of paragraph (d)(2) to read as follows:

§ 1.5004 Routine terms and conditions.

* * * * *

(d) * * *

(2) * * * The letter must also reference the licensee's foreign ownership ruling(s) by ICFS File No. and FCC Record citation, if available; or, if a broadcast licensee, the letter must reference the licensee's foreign ownership ruling(s) by LMS File No., Docket No., call sign(s), facility identification number(s), and FCC Record citation, if available. * * *

* * * * *

■ 7. Amend § 1.30001 by revising paragraph (d) to read as follows:

§ 1.30001 Definitions.

* * * * *

(d) *Distance from the AM station.* The distance shall be calculated from the tower coordinates in the case of a nondirectional AM station, or from the array center coordinates given in LMS or any successor database for a directional AM station.

■ 8. Amend § 1.30004 by revising the second sentence of paragraph (a) to read as follows:

§ 1.30004 Notice of tower construction or modification near AM stations.

(a) * * * Notice shall be provided to any AM station that is licensed or operating under Program Test Authority using the official licensee information and address listed in LMS or any successor database. * * *

* * * * *

PART 73—RADIO BROADCAST SERVICES

■ 9. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 10. Amend § 73.30 by:

■ a. Revising paragraph (c) and

■ b. Redesignating notes 1 through 5 as note 1 to § 73.30 through note 5 to § 73.30.

The revision reads as follows:

§ 73.30 Petition for authorization of an allotment in the 1605–1705 kHz band.

* * * * *

(c) If awarded an allotment, a petitioner will have sixty (60) days from the date of public notice of selection to file an application for construction permit on FCC Form 2100, Schedule 301. (See §§ 73.24 and 73.37(e) for filing requirements). Unless instructed by the Commission to do otherwise, the application shall specify Model I facilities. (See § 73.14). Upon grant of the application and subsequent construction of the authorized facility, the applicant must file a license application on FCC Form 2100, Schedule 302.

* * * * *

■ 11. Amend § 73.37 by revising paragraph (c) to read as follows:

§ 73.37 Applications for broadcast facilities, showing required.

* * * * *

(c) If otherwise consistent with the public interest, an application requesting an increase in the daytime power of an existing Class C station on a local channel from 250 watts to a maximum of 1kW, or from 100 watts to a maximum of 500 watts, may be granted notwithstanding overlap prohibited by paragraph (a) of this section. In the case of a 100 watt Class C station increasing daytime power, the provisions of this paragraph shall not be construed to permit an increase in power to more than 500 watts, if prohibited overlap would be involved, even if successive applications should be filed.

* * * * *

■ 12. Amend § 73.45 by revising paragraph (c)(1) to read as follows:

§ 73.45 AM antenna systems.

* * * * *

(c) * * *

(1) Whenever the measurements show that the antenna or common point resistance differs from that shown on the station authorization by more than 2%, FCC Form 2100, Schedule 302 must

be filed with the information and measurement data specified in § 73.54(d).

* * * * *

■ 13. Amend § 73.51 by revising the introductory text of paragraph (c) to read as follows:

§ 73.51 Determining operating power.

* * * * *

(c) Applications for authority to operate with antenna input power which is less than nominal power and/or to employ a dissipative network in the antenna system shall be made on FCC Form 2100, Schedule 302. The technical information supplied on this form shall be that applying to the proposed conditions of operation. In addition, the following information shall be furnished, as pertinent:

* * * * *

■ 14. Amend § 73.202 by revising the third sentence of paragraph (a) introductory text to read as follows:

§ 73.202 Table of Allotments.

(a) * * * Channels to which licensed, permitted, and "reserved" facilities have been assigned are reflected in the Media Bureau's publicly available Licensing and Management System.

* * * * *

■ 15. Amend § 73.311 by revising paragraph (a) to read as follows:

§ 73.311 Field strength contours.

(a) Applications for FM broadcast authorizations must show the field strength contours required by FCC Form 2100, Schedule 301 or 340, as appropriate.

* * * * *

■ 16. Amend § 73.512 by revising the introductory text of paragraph (a) to read as follows:

§ 73.512 Special procedures applicable to Class D noncommercial educational stations.

(a) All Class D stations seeking renewal of license for any term expiring June 1, 1980, or thereafter shall comply with the requirements set forth below and shall simultaneously file an application on FCC Form 2100, Schedule 340, containing full information regarding such compliance with the provisions set forth in paragraphs (a)(1) through (3) of this section.

* * * * *

■ 17. Amend § 73.625 by revising the second sentence of paragraph (c)(4)(i) to read as follows:

§ 73.625 TV antenna system.

* * * * *

(c) * * *
(4) * * *

(i) * * * A formal application (FCC Form 2100, Schedule 301, or FCC Form 2100, Schedule 340 for a noncommercial educational station) will be required if the proposal involves substantial change in the physical height or radiation characteristics of the AM broadcast antennas; otherwise an informal application will be acceptable.
* * *

* * * * *

■ 18. Amend § 73.807 by:

- a. Revising the introductory text of paragraph (a)(1) and designating the table as Table 1 to paragraph (a)(1);
- b. Designating the table in paragraph (b) as Table 2 to paragraph (b);
- c. Revising (c) introductory text and designating the table as Table 3 to paragraph (c); and
- d. Designating the table in paragraph (g)(1) as Table 4 to paragraph (g)(1) and the table in paragraph (g)(2) as Table 5 to paragraph (g)(2).

The revisions read as follows:

§ 73.807 Minimum distance separation between stations.

* * * * *

(a) * * *

(1) An LPFM station will not be authorized initially unless the minimum distance separations in the following table are met with respect to authorized FM stations, applications for new and existing FM stations filed prior to the release of the public notice announcing the filing procedures for the LPFM window period, authorized LPFM stations, LPFM station applications that were timely-filed within a previous window, and vacant FM allotments. The term authorized [FM or LPFM] station means the FM or LPFM station currently holds a granted construction permit and/or a granted license. LPFM modification applications must either meet the distance separations in the following table or, if short-spaced, not lessen the spacing to subsequently authorized stations.
* * * * *

(c) In addition to meeting the separations specified in paragraphs (a) and (b) of this section, LPFM applications must meet the minimum separation requirements in the following table with respect to authorized FM translator stations, and FM translator applications filed prior to the release of the Public Notice announcing the filing procedures for the LPFM window period. The term authorized FM translator station means the FM translator station currently holds

a granted construction permit and/or a granted license.
* * * * *

■ 19. Amend § 73.872 by revising paragraphs (a) and (b)(1) to read as follows:

§ 73.872 Selection procedure for mutually exclusive LPFM applications.

(a) Following the close of each window for new LPFM stations and for modifications in the facilities of authorized LPFM stations, the Commission will issue a public notice identifying all groups of mutually exclusive applications. Such applications will be awarded points to determine the tentative selectee. Unless resolved by settlement pursuant to paragraph (e) of this section, the tentative selectee will be the applicant within each group with the highest point total under the procedure set forth in this section, except as provided in paragraphs (c) and (d) of this section. Acceptance for filing of a tentative selectee's application in the LPFM Mutually Exclusive Tentative Selectee Order or Public Notice, or an equivalent Order, triggers the applicant's local public notice obligation under § 73.3580.

(b) * * *

(1) Established community presence.

An applicant must, for a period of at least two years prior to application and at all times thereafter, have qualified as local pursuant to § 73.853(b). Applicants claiming a point for this criterion must submit any documentation specified in FCC Form 2100, Schedule 318 at the time of filing their applications.
* * * * *

■ 20. Amend § 73.875 by revising paragraph (b) introductory text and the second sentence of paragraph (c) introductory text to read as follows:

§ 73.875 Modification of transmission systems.

* * * * *

(b) The following changes may be made only after the grant of a construction permit application on FCC Form 2100, Schedule 318.
* * * * *

(c) * * * A modification of license application (FCC Form 2100, Schedule 319) must be submitted to the Commission within 10 days of commencing program test operations pursuant to § 73.1620. * * *
* * * * *

■ 21. Amend § 73.1020 by revising paragraph (b) to read as follows:

§ 73.1020 Station license period.

* * * * *

(b) For the deadline for filing petitions to deny renewal applications, see § 73.3584(f).
* * * * *

■ 22. Amend § 73.1635 by revising paragraph (a)(4) to read as follows:

§ 73.1635 Special temporary authorizations (STA).

(a) * * *

(4) An STA may be granted for an initial period not to exceed 180 days. A limited number of extensions of such authorizations may be granted for additional periods not exceeding 180 days per extension. The permittee or licensee must demonstrate that any further extensions requested are necessary and that all steps to resume normal operation are being undertaken in an expeditious and timely fashion. The license of a broadcasting station that fails to transmit broadcast signals for any consecutive 12-month period expires as a matter of law at the end of that period, notwithstanding any STA or provision, term, or condition of the license to the contrary.
* * * * *

■ 23. Amend § 73.1670 by revising paragraph (b) to read as follows:

§ 73.1670 Auxiliary transmitters.

* * * * *

(b) Authorization to install an auxiliary transmitter for use with other than the main antenna or authorized auxiliary antenna must be obtained by filing an application for a construction permit on FCC Form 2100, Schedule 301 (FCC Form 2100, Schedule 340 for noncommercial educational stations).
* * * * *

■ 24. Amend § 73.1690 by revising the first sentence of paragraph (c)(9) to read as follows:

§ 73.1690 Modification of transmission systems.

* * * * *

(c) * * *

(9) The licensee of an AM, FM, or TV commercial station may propose to change from commercial to noncommercial educational on a modification of license application, provided that the application contains the completed Eligibility Certifications and Financial sections from FCC Form 2100, Schedule 340. * * *
* * * * *

■ 25. Amend § 73.3513 by revising paragraphs (a)(2) through (5), and adding paragraph (e) to read as follows:

§ 73.3513 Signing of applications.

(a) * * *

(2) *Partnership*. One of the partners, or a duly authorized employee, if the applicant is a partnership.

(3) *Corporation*. An officer, director, or duly authorized employee, if the applicant is a corporation.

(4) *Unincorporated Association*. A member who is an officer, or a duly authorized employee, if the applicant is an unincorporated association.

(5) *Governmental Entity*. Such duly elected or appointed officials as may be competent to do so under the law of the applicable jurisdiction, or a duly authorized employee, if the applicant is an eligible governmental entity, such as a State or Territory of the United States and political subdivisions thereof, the District of Columbia, and a unit of local government, including an unincorporated municipality.

* * * * *

(e) The Commission only accepts electronic applications. An electronic application is “signed” when there is an electronic signature. An electronic signature is the typed name of the person “signing” the application, which is then electronically transmitted via LMS.

§ 73.3516 [Amended]

■ 26. Amend § 73.3516 by removing paragraph (e).

§ 73.3522 [Amended]

■ 27. Amend § 73.3522 by removing note 1 to § 73.3522.

■ 28. Amend § 73.3526 by revising paragraphs (e)(2) and (4), redesignating paragraphs (e)(18)(1) and (2) as paragraphs (e)(18)(i) and (ii), and revising paragraph (f).

The revisions read as follows:

§ 73.3526 Online public inspection file of commercial stations.

* * * * *

(e) * * *

(2) *Applications and related materials*. A copy of any application filed with the FCC, together with all related material, and copies of Initial Decisions and Final Decisions in hearing cases pertaining thereto. If petitions to deny are filed against the application and have been served on the applicant, a statement that such a petition has been filed shall be maintained in the file together with the name and address of the party filing the petition. Applications shall be retained in the public inspection file until final action has been taken on the

application, except that applications for a new construction permit granted pursuant to a waiver showing and applications for assignment or transfer of license granted pursuant to a waiver showing shall be retained for as long as the waiver is in effect. In addition, license renewal applications granted on a short-term basis shall be retained until final action has been taken on the license renewal application filed immediately following the shortened license term.

* * * * *

(4) *Contour maps*. A copy of any service contour maps, submitted with any application filed with the FCC, together with any other information in the application showing service contours and/or transmitter location (State, county, city, street address, or other identifying information). These documents shall be retained for as long as they reflect current, accurate information regarding the station.

* * * * *

(f) *Definitions*. (1) For purposes of this section, action taken on an application filed with the FCC becomes final when that action is no longer subject to reconsideration, review, or appeal either at the FCC or in the courts.

(2) For purposes of this section, the term “all related material” includes all exhibits, letters, and other documents filed with the FCC as part of an application, report, or other document, all amendments to the application, report, or other document, copies of all documents incorporated therein by reference and not already maintained in the public inspection file, and all correspondence between the FCC and the applicant pertaining to the application, report, or other document, which according to the provisions of §§ 0.451 through 0.461 of this chapter are open for public inspection at the offices of the FCC.

■ 29. Amend § 73.3527 by revising paragraphs (e)(2) and (3) and (f) to read as follows:

§ 73.3527 Online public inspection file of noncommercial educational stations.

* * * * *

(e) * * *

(2) *Applications and related materials*. A copy of any application filed with the FCC, together with all related material, including supporting documentation of any points claimed in the application pursuant to § 73.7003, and copies of FCC decisions pertaining

thereto. If petitions to deny are filed against the application and have been served on the applicant, a statement that such a petition has been filed shall be maintained in the file together with the name and address of the party filing the petition. Applications shall be retained in the public inspection file until final action has been taken on the application, except that applications for a new construction permit granted pursuant to a waiver showing and applications for assignment or transfer of license granted pursuant to a waiver showing shall be retained for as long as the waiver is in effect. In addition, license renewal applications granted on a short-term basis shall be retained until final action has been taken on the license renewal application filed immediately following the shortened license term.

(3) *Contour maps*. A copy of any service contour maps, submitted with any application filed with the FCC, together with any other information in the application showing service contours and/or transmitter location (State, county, city, street address, or other identifying information). These documents shall be retained for as long as they reflect current, accurate information regarding the station.

* * * * *

(f) *Definitions*. (1) For purposes of this section, a decision made with respect to an application filed with the FCC becomes final when that decision is no longer subject to reconsideration, review, or appeal either at the FCC or in the courts.

(2) For purposes of this section, the term “all related material” includes all exhibits, letters, and other documents filed with the FCC as part of an application, report, or other document, all amendments to the application, report, or other document, copies of all documents incorporated therein by reference and not already maintained in the public inspection file, and all correspondence between the FCC and the applicant pertaining to the application, report, or other document, which according to the provisions of §§ 0.451 through 0.461 of this chapter are open for public inspection at the offices of the FCC.

■ 30. Amend § 73.3564 by revising paragraphs (a)(1) and (3), (c), and (e) to read as follows:

§ 73.3564 Acceptance of applications.

(a) * * *

(1) Applications are dated upon filing in LMS. Except for applications for minor modifications of facilities in the non-reserved FM band, as defined in § 73.3573(a)(2), long form applications subject to the provisions of § 73.5005 found to be complete or substantially complete are accepted for filing and are given file numbers. In the case of minor defects as to completeness, a deficiency letter will be issued and the applicant will be required to supply the missing or corrective information. Applications that are not substantially complete will not be considered and will be returned to the applicant.

* * * * *

(3) Applications found not to meet minimum filing requirements will be returned to the applicant. Applications found to meet minimum filing requirements, but that contain deficiencies, shall be given an opportunity for corrective amendment pursuant to § 73.3522. Applications found to be substantially complete and in accordance with the Commission's core legal and technical requirements will be accepted for filing. Applications with uncorrected defects remaining after the opportunity for corrective amendment will be dismissed with no further opportunity for amendment.

* * * * *

(c) At regular intervals, the FCC will issue a Public Notice listing all long form applications which have been accepted for filing. Pursuant to §§ 73.3571(h), 73.3572, and 73.3573(f), such notice shall establish a cut-off date for the filing of petitions to deny. However, no application will be accepted for filing unless certification of compliance with the local notice requirements of § 73.3580(h) has been made in the tendered application.

* * * * *

(e) Applications for minor modification of facilities may be filed at any time, unless restricted by the FCC. These applications will be processed on a "first come/first served" basis and will be treated as simultaneously filed if filed on the same day. Any applications received after the filing of a lead application will be grouped according to filing date, and placed in a queue behind the lead applicant. The FCC will periodically release a Public Notice listing those minor modification of facilities applications accepted for filing.

* * * * *

- 31. Amend § 73.3571 by:
 - a. Revising paragraph (e);
 - b. Adding paragraph (h)(1)(ii)(D); and
 - c. Removing the note to § 73.3571.

The revision and addition read as follows:

§ 73.3571 Processing of AM broadcast station applications.

* * * * *

(e) The following special procedures will be followed in authorizing Class D daytime-only stations on 940 and 1550 kHz, and Class D daytime-only stations on the 41 regional channels listed in § 73.26(a), to operate unlimited-time.

(1) Each eligible daytime-only station in the foregoing categories will receive an Order to Show Cause why its license should not be modified to specify operation during nighttime hours with the facilities it is licensed to start using at local sunrise, using the power stated in the Order to Show Cause, that the Commission finds is the highest nighttime level—not exceeding 0.5 kW—at which the station could operate without causing prohibited interference to other domestic or foreign stations, or to co-channel or adjacent channel stations for which pending applications were filed before December 1, 1987.

(2) Stations accepting such modification shall be reclassified. Those authorized in such Show Cause Orders to operate during nighttime hours with a power of 0.25 kW or more, or with a power that, although less than 0.25 kW, is sufficient to enable them to attain an equivalent RMS field strength of at least 107.5 mV/m at 1 kilometer, shall be redesignated as Class B stations if they are assigned to 940 or 1550 kHz, and as unlimited-time Class B stations if they are assigned to regional channels.

(3) Stations accepting such modification that are authorized to operate during nighttime hours at powers less than 0.25 kW, and that cannot with such powers attain an equivalent RMS field strength of less than 107.5 mV/m at 1 kilometer, shall be redesignated as Class D stations if they are assigned to 940 or 1550 kHz, and as Class D stations if they are assigned to regional channels.

(4) Applications for new stations may be filed at any time on 940 and 1550 kHz and on the regional channels. Also, stations assigned to 940 or 1550 kHz, or to the regional channels, may at any time, regardless of their classifications, apply for power increases up to the maximum generally permitted. Such applications for new or changed facilities will be granted without taking into account interference caused to Class D stations, but will be required to show interference protection to other classes of stations, including stations that were previously classified as Class

D, but were later reclassified as Class B unlimited-time stations.

* * * * *

(h) * * *

(1) * * *

(ii) * * *

(D) For purposes of this paragraph (h)(1)(ii), § 73.182(k) interference standards apply when determining nighttime mutual exclusivity between applications to provide AM service that are filed in the same window. Two applications would be deemed to be mutually exclusive if either application would be subject to dismissal because it would enter into, *i.e.*, raise, the twenty-five percent exclusion RSS nighttime limit of the other.

* * * * *

- 32. Amend § 73.3573 by revising paragraph (f)(1) and note 4 to § 73.3573 to read as follows:

§ 73.3573 Processing FM broadcast station applications.

* * * * *

(f) * * *

(1) Applications for minor modifications for non-reserved FM broadcast stations, as defined in paragraph (a)(2) of this section, may be filed at any time, unless restricted by the FCC, and, generally, will be processed in the order in which they are tendered. The FCC will periodically release a Public Notice listing those applications accepted for filing. Processing of these applications will be on a "first come/first serve" basis with the first acceptable application cutting off the filing rights of subsequent applicants. All applications received on the same day will be treated as simultaneously filed and, if they are found to be mutually exclusive, must be resolved through settlement or technical amendment. Applications received after the filing of a lead application will be grouped, according to filing date, behind the lead application in a queue. The priority rights of the lead applicant, as against all other applicants, are determined by the date of filing, but the filing date for subsequent applicants for that channel and community only reserves a place in the queue. The rights of an applicant in a queue ripen only upon a final determination that the lead applicant is unacceptable and if the queue member is reached and found acceptable. The queue will remain behind the lead applicant until a construction permit is finally granted, at which time the queue dissolves.

* * * * *

Note 4 to § 73.3573: A Class C station operating with antenna height above average terrain ("HAAT") of less than

451 meters is subject to reclassification as a Class C0 station upon the filing of a triggering application for construction permit that is short-spaced to such a Class C station under § 73.207 but would be fully spaced to such a station considered as a Class C0 assignment. Triggering applications may utilize § 73.215. Triggering applications must certify that no alternative channel is available for the proposed service. Available alternative frequencies are limited to frequencies that the proposed service could use at the specified antenna location in full compliance with the distance separation requirements of § 73.207, without any other changes to the Table of FM Allotments. Copies of a triggering application and related pleadings must be served on the licensee of the affected Class C station. If the staff concludes that a triggering application is acceptable for filing, it will issue an order to show cause why the affected station should not be reclassified as a Class C0 station. The order to show cause will provide the licensee 30 days to express in writing an intention to seek authority to modify the subject station's technical facilities to minimum Class C HAAT or to otherwise challenge the triggering application. If no such intention is expressed and the triggering application is not challenged, the subject station will be reclassified as a Class C0 station, and processing of the triggering application will be completed. If an intention to modify is expressed, an additional 180-day period will be provided during which the Class C station licensee must file an acceptable construction permit application to increase antenna height to at least 451 meters HAAT. Upon grant of such a construction permit application, the triggering application will be dismissed. Class C station licensees must serve on triggering applicants copies of any FAA submissions related to the application grant process. If the construction is not completed as authorized, the subject Class C station will be reclassified automatically as a Class C0 station. The reclassification procedure also may be initiated through the filing of an original petition for rulemaking to amend the Table of FM Allotments as set forth in the Note to § 1.420(g).

* * * * *

■ 33. Amend § 73.3578 by revising paragraph (a) to read as follows:

§ 73.3578 Amendments to applications for renewal, assignment or transfer of control.

(a) Any amendments to an application for renewal of any instrument of

authorization shall be considered to be a minor amendment. However, the FCC may, within 15 days after filing of any amendment, advise the applicant that the amendment is considered to be a major amendment and therefore is subject to the provisions of § 73.3580.

* * * * *

■ 34. Amend § 73.3580 by revising paragraphs (a)(1) and (d)(2) to read as follows:

§ 73.3580 Local public notice of filing of broadcast applications.

(a) * * *

(1) *Acceptance public notice.* A Commission or Bureau public notice announcing that an application has been accepted for filing, or an equivalent Order accepting for filing applications from a filing window under §§ 73.7002, 73.7003 or 73.872.

* * * * *

(d) * * *

(2) Consent to an involuntary assignment or transfer or to a voluntary assignment or transfer which does not result in a change of control and which may be applied for on FCC Form 2100, Schedule 316, or any successor form released in the future, pursuant to the provisions of § 73.3540(b).

* * * * *

■ 35. Amend § 73.3584 by revising paragraphs (a) and (c) and adding paragraph (f) to read as follows:

§ 73.3584 Procedure for filing petitions to deny.

(a) For mutually exclusive applications subject to selection by competitive bidding (non-reserved channels) or fair distribution/point system (reserved channels), petitions to deny may be filed only against the winning bidders or tentative selectee(s), and such petitions will be governed by §§ 73.5006 and 73.7004, respectively. For all other applications the following rules will govern. Except in the case of applications for new low power TV and TV translator stations, for major changes in the existing facilities of such stations, or for applications for a change in output channel tendered by displaced low power TV and TV translator stations pursuant to § 73.3572(a)(1), any party in interest may file with the Commission a Petition to Deny any application (whether as originally filed or if amended so as to require a new file number pursuant to §§ 73.3571(j), 73.3572(b), 73.3573(b), 73.3574(b) or 73.3578) for which local notice pursuant to § 73.3580 is required, provided such petitions are filed prior to the day such applications are granted or designated for hearing; but where the FCC issues a

public notice pursuant to the provisions of §§ 73.3571(c), 73.3572(c) or 73.3573(d), establishing a "cut-off" date, such petitions must be filed by the date specified. In the case of applications for transfers and assignments of construction permits or station licenses, Petitions to Deny must be filed not later than 30 days after issuance of a public notice of the acceptance for filing of the applications. In the case of applications for renewal of license, Petitions to Deny may be filed at any time up to the deadline established in paragraph (f) of this section. Requests for extension of time to file Petitions to Deny applications for new broadcast stations or major changes in the facilities of existing stations or applications for renewal of license will not be granted unless all parties concerned, including the applicant, consent to such requests, or unless a compelling showing can be made that unusual circumstances make the filing of a timely petition impossible and the granting of an extension warranted.

* * * * *

(c) In the case of applications for new low power TV and TV translator stations, for major changes in the existing facilities of such stations, or for applications for a change in output channel tendered by displaced low power TV and TV translator stations pursuant to § 73.3572(a)(1), any party in interest may file with the FCC a Petition to Deny any application (whether as originally filed or if amended so as to require a new file number pursuant to § 73.3572(b)) for which local notice pursuant to § 73.3580 is required, provided such petitions are filed within 30 days of the FCC Public Notice proposing the application for grant (applicants may file oppositions within 15 days after the Petition to Deny is filed); but where the FCC selects a tentative permittee pursuant to § 1.1601 of this chapter, Petitions to Deny shall be accepted only if directed against the tentative selectee and filed after issuance of and within 15 days of FCC Public Notice announcing the tentative selectee. The applicant may file an opposition within 15 days after the Petition to Deny is filed. In cases in which the minimum diversity preference provided for in § 1.1623(f)(1) of this chapter has been applied, an "objection to diversity claim" and opposition thereto, may be filed against any applicant receiving a diversity preference, within the same time period provided herein for Petitions and Oppositions. In all pleadings, allegations of fact or denials thereof shall be supported by appropriate

certification. However, the FCC may announce, by the Public Notice announcing the acceptance of the last-filed mutually exclusive application, that a notice of Petition to Deny will be required to be filed no later than 30 days after issuance of the Public Notice.

(f) A petition to deny an application for renewal of license of an existing broadcast station will be considered as timely filed if it is filed by the end of the first day of the last full calendar month of the expiring license term.

(1) If the license renewal application is not timely filed as prescribed in § 73.3539, the deadline for filing petitions to deny thereto is the 90th day after the FCC gives public notice that it has accepted the late-filed renewal application for filing.

(2) If any deadline falls on a nonbusiness day, the cutoff shall be the close of business of the first full business day thereafter.

(3) The dates when the licenses of all broadcast and broadcast auxiliary services regularly expire are listed in §§ 73.733, 73.1020 and 74.15.

■ 36. Amend § 73.3591 by revising paragraphs (b) introductory text and (b)(2) to read as follows:

§ 73.3591 Grants without hearing.

(b) In making its determinations pursuant to the provisions of paragraph (a) of this section, the FCC will not consider any other application, or any application if amended so as to require a new file number, as being mutually exclusive or in conflict with the application under consideration unless such other application was substantially complete, and filed by:

(2) The date prescribed in § 73.3584(f) in the case of applications which are mutually exclusive with applications for renewal of license of broadcast stations; or

■ 37. Amend § 73.3597 by revising paragraph (b)(2) to read as follows:

§ 73.3597 Procedures on transfer and assignment applications.

(2) In determining whether the station has been operating on-air for one year, the FCC will calculate the period between the date of initiation of program tests (as specified in paragraph (b)(1) of this section) and the date the application for transfer or assignment is filed with the FCC.

- 38. Amend § 73.3700 by
■ a. Revising paragraph (b)(5)(iv);
■ b. Removing and reserving paragraph (c), and removing paragraph (i).

The revision reads as follows:

§ 73.3700 Post-incentive auction licensing and operation.

- (b) * * *
(5) * * *
(iv) Applications for additional time to complete construction must be filed electronically in LMS using FCC Form 337 no less than 90 days before the expiration of the construction permit.

■ 39. Amend § 73.3801 by revising paragraph (h)(4)(i) to read as follows:

§ 73.3801 Full power television simulcasting during the ATSC 3.0 (Next Gen TV) transition.

- (h) * * *
(4) * * *
(i) Next Gen TV stations must provide notice at least 90 days in advance of relocating their ATSC 1.0 signals.

■ 40. Amend § 73.5002 by revising the second sentence of paragraph (b) to read as follows:

§ 73.5002 Application and certification procedures; return of mutually exclusive applications not subject to competitive bidding procedures; prohibition of collusion.

(b) * * * So determinations of mutual exclusivity for auction purposes can be made, applicants for non-table broadcast services must also submit the engineering data contained in the appropriate FCC application FCC Form 2100, Schedule 301, 346, or 349.

■ 41. Amend § 73.6029 by revising paragraph (h)(4)(i) to read as follows:

§ 73.6029 Class A television simulcasting during the ATSC 3.0 (Next Gen TV) transition.

- (h) * * *
(4) * * *
(i) Next Gen TV stations must provide notice at least 90 days in advance of relocating their ATSC 1.0 signals.

■ 42. Amend § 73.7002 by revising paragraph (b) to read as follows:

§ 73.7002 Fair distribution of service on reserved band FM channels.

(b) In an analysis performed pursuant to paragraph (a) of this section, a full-

service FM applicant that identifies itself as a Tribal Applicant, that proposes Tribal Coverage, and that proposes the first reserved channel NCE service owned by any Tribal Applicant at a community of license located on Tribal Lands, will be awarded a construction permit. If two or more full-service FM applicants identify themselves as Tribal Applicants and meet the above criteria, the applicant providing the most people with reserved channel NCE service to Tribal Lands will be awarded a construction permit, regardless of the magnitude of the superior service or the populations of the communities of license proposed, if different. If two or more full-service FM applicants identifying themselves as Tribal Applicants each meet the above criteria and propose identical levels of NCE aural service to Tribal Lands, only those applicants shall proceed to be considered together in a point system analysis. In an analysis performed pursuant to paragraph (a) of this section that does not include a Tribal Applicant, a full service FM applicant that will provide the first or second reserved channel noncommercial educational (NCE) aural signal received by at least 10% of the population within the station's 60dBu (1mV/m) service contours will be considered to substantially further fair distribution of service goals and to be superior to mutually exclusive applicants not proposing that level of service, provided that such service to fewer than 2,000 people will be considered insignificant. First service to 2,000 or more people will be considered superior to second service to a population of any size. If only one applicant will provide such first or second service, that applicant will be selected as a threshold matter. If more than one applicant will provide an equivalent level (first or second) of NCE aural service, the size of the population to receive such service from the mutually exclusive applicants will be compared. The applicant providing the most people with the highest level of service will be awarded a construction permit, if it will provide such service to 5,000 or more people than the next best applicant. If none of the applicants in a mutually exclusive group would substantially further fair distribution goals, all applicants will proceed to examination under a point system. If two or more applicants will provide the same level of service to an equivalent number of people (differing by less than 5,000), only those equivalent applicants will be considered together in a point system. Acceptance for filing of a tentative selectee's application in a

Threshold Fair Distribution of Service Order, or an equivalent Order, triggers the applicant's local public notice obligation under § 73.3580.

* * * * *

- 43. Amend § 73.7003 by revising paragraph (a) to read as follows:

§ 73.7003 Point system selection procedures.

(a) If timely filed applications for reserved FM channels or reserved TV channels are determined to be mutually exclusive, applications will be processed and assessed points to determine the tentative selectee for the particular channels. The tentative selectee will be the applicant with the highest point total under the procedure set forth in this section and will be awarded the requested permit if the Commission determines that an award will serve the public interest, convenience, and necessity. Acceptance for filing of a tentative selectee's application in an NCE Comparative Points Order, or an equivalent Order, determined under this section triggers the applicant's local public notice obligation under § 73.3580.

* * * * *

PART 74—EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

- 44. The authority citation for part 74 continues to read as follows:

Authority: 47 U.S.C. 154, 302a, 303, 307, 309, 310, 325, 336 and 554.

- 45. Amend § 74.782 by revising paragraph (i)(4)(i) to read as follows:

§ 74.782 Low power television and TV translator simulcasting during the ATSC 3.0 (Next Gen TV) transition.

* * * * *

(i) * * *

(4) * * *

(i) Next Gen TV stations must provide notice at least 90 days in advance of relocating their ATSC 1.0 signals.

* * * * *

PART 76—MULTICHANNEL VIDEO AND CABLE TELEVISION SERVICE

- 46. The authority citation for part 76 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 153, 154, 301, 302, 302a, 303, 303a, 307, 308, 309, 312, 315, 317, 325, 335, 338, 339, 340, 341, 503, 521, 522, 531, 532, 534, 535, 536, 537, 543, 544, 544a, 545, 548, 549, 552, 554, 556, 558, 560, 561, 562, 571, 572, 573.

- 47. Amend § 76.66 by revising paragraph (d)(2)(ii) to read as follows:

§ 76.66 Satellite broadcast signal carriage.

* * * * *

(d) * * *

(2) * * *

(ii) Except as provided in this paragraph (d)(2)(ii), satellite carriers shall transmit the notices required by paragraph (d)(2)(i) of this section via certified mail to the address for such television station licensee listed in the Licensing and Management System maintained by the Commission. After July 31, 2020, the written notices required by paragraphs (d)(1)(vi), (d)(2)(i), (v), and (vi), (d)(3)(iv), (d)(5)(i), (f)(3) and (4), and (h)(5) of this section shall be delivered electronically via email to the email address for carriage-related questions that the station lists in its public file in accordance with §§ 73.3526 and 73.3527 of this subchapter.

* * * * *

[FR Doc. 2026-10008 Filed 5-18-26; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[WC Docket No. 21-455, CC Docket No. 02-6; FCC 26-30; FR ID 345648]

Promoting Fair and Open Competitive Bidding in the E-Rate Program; Schools and Libraries Universal Service Support Mechanism

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission or FCC) takes action to reinforce the success and integrity of the E-Rate program by establishing a competitive bidding portal and document repository to strengthen the E-Rate program's competitive bidding rules as well as other actions to simplify and streamline program processes and procedures for E-Rate participants. In addition, the Commission adopts changes to streamline and simplify the E-Rate program while maintaining the integrity of the program and grant an Order on Reconsideration. These actions will provide greater transparency into the applicants' competitive bidding and bid evaluation and selection processes, and protect the program against waste, fraud, and abuse.

DATES: Effective June 18, 2026, except for amendatory instructions 4 and 5 which are delayed indefinitely. The Commission will publish a document in

the **Federal Register** announcing the effective date for those sections.

FOR FURTHER INFORMATION CONTACT: For further information, please contact, Jennifer Mensah, Telecommunications Access Policy Division, Wireline Competition Bureau, at Jennifer.Mensah@fcc.gov or (202) 418-1387 or TTY: (202) 418-0484. Requests for accommodations should be made as soon as possible in order to allow the agency to satisfy such requests whenever possible. Send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order (*Report and Order*) and Order on Reconsideration in WC Docket No. 21-455, CC Docket No. 02-6; FCC 26-30, adopted on April 30, 2026 and released on May 1, 2026. The full text of this document is available at the following internet address: <https://docs.fcc.gov/public/attachments/FCC-26-30A1.pdf>.

I. Introduction

The Federal Communications Commission (Commission) is committed to strengthening the integrity of the E-Rate program—formally known as the schools and libraries universal service support mechanism—and protecting limited E-Rate funds against waste, fraud, and abuse. We take action to reinforce the success and integrity of the E-Rate program by establishing a competitive bidding portal and document repository to strengthen the E-Rate program's competitive bidding rules as well as other actions to simplify and streamline program processes and procedures for E-Rate participants.

Beginning in funding year (FY) 2028, service providers will be required to respond to applicants' FCC Form 470 requests for services by submitting their bids into a Universal Service Administrative Company (USAC)-managed bidding portal, and applicants will be required to upload all bid evaluation and vendor selection documents, including contracts, to the portal after they select their service providers. The E-Rate program's competitive bidding requirements reflect the Commission's determination that competition is the most efficient and effective means to ensure that applicants can receive and select the most cost-effective service offerings. The Commission has long held that a fair and open competitive bidding process is a cornerstone of and fundamental to the integrity of the E-Rate program. In addition, we adopt changes to