



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

DA 03-1437
April 30, 2003

Media Bureau Announces Certain Revisions to Instructions to Form 303-S -- Application for Renewal of License for Broadcast Stations

The Chief, Media Bureau, announces certain revisions to three instructions to FCC Form 303-S. These revisions, effective immediately, are also incorporated in the Form 303-S instructions available on the Commission's web site, <http://www.fcc.gov/formpage.html>. Form 303-S is unchanged.

GENERAL INSTRUCTION A. Generally, an applicant may specify only a single station license on a particular renewal form. General Instruction A is revised to more fully describe the limited exception to this general policy. The additional instruction language appears in bold.

- A. This form is to be used in applying for renewal of license for a commercial or noncommercial educational AM, FM, TV, Class A TV, FM translator, TV translator, Low Power TV, or Low Power FM broadcast station. **Generally, an applicant may list only one broadcast station license on Form 303-S. However, an applicant may seek the joint renewal of its primary FM, TV, or LPTV station license and any associated FM translator or TV translator stations which share a common license expiration date. See 47 C.F.R. Section 73.1020.**

GENERAL INSTRUCTION I. The following new instruction clarifies the time period for each Form 303-S certification.

- I. **Except as specifically noted to the contrary in Form 303-S or these instructions, each certification covers the entire license term. However, if the station license was assigned or transferred during the subject license term pursuant to a "long-form" application on FCC Form 314 or 315, the renewal applicant's certifications should cover only the period during which the renewal applicant held the station's license.**

INSTRUCTIONS FOR SECTION II: LEGAL INFORMATION, Item 4, Violations During the Preceding License Term. The instructions for Section II, Item 4 of FCC Form 303-S are revised to clarify the limited scope of the "violations" disclosure requirement for purposes of this license renewal form item only. The new instruction language appears in bold.

Section 309(k) of the Communications Act of 1934, as amended, 47 U.S.C. Section 309(k), states that the Commission shall grant a license renewal application if it finds, with respect to that station, during the preceding license term, that: (1) the station has served the public interest, convenience, and necessity; (2) there have been no serious violations by the licensee of the Communications Act or the Commission's Rules; and (3) there have been no other violations of the Act or the Commission's rules which, taken together, would constitute a pattern of abuse. This question asks the applicant to certify that, with respect to the station for which a renewal application is being submitted, there were no violations of the Communications Act or the Commission's Rules. If the renewal applicant has violated the Act or the rules, it must respond "No" and submit an explanatory exhibit detailing the number and nature of the violations and the Commission adjudication.

For purposes of this license renewal form only, an applicant is required to disclose only violations of the Communications Act of 1934, as amended, or the Rules of the Commission that occurred at the subject station during the license term, as preliminarily or finally determined by the Commission, staff, or a court of competent jurisdiction. This includes Notices of Violation, Notices of Apparent Liability, Forfeiture Orders, and other specific findings of Act or Rule violations. It does not include "violations" identified by the station itself or in conjunction with the station's participation in an Alternative Broadcast Inspection Program. Licensees are advised that the Commission may also consider other violations by the station that come to its attention in determining whether to grant this license renewal application.

Action by the Chief, Media Bureau. For further information, contact Peter H. Doyle or Michael Wagner of the Audio Division, Media Bureau, at (202) 418-2700.

- FCC -