

April 21, 2016

VIA EMAIL

Mr. Nicholas A. Fraser
Information Policy Branch
Office of Management and Budget
Executive Office of the President
Washington, D.C. 20503
Nicholas_A._Fraser@omb.eop.gov

Re: Response to Comment of Broadcast1Source
OMB Control Nos.: 3060-0214, 3060-0316, and 3060-1207
FCC Online Public Inspection File

Dear Mr. Fraser:

The Federal Communications Commission (“Commission”) hereby responds to the comment filed by Broadcast1Source¹ in connection with the Commission’s recent Report and Order adding cable operators, DBS providers, broadcast radio licensees, and satellite radio licensees to the list of entities required to post their public inspection files to an FCC-hosted online database.² Broadcast1Source requests that OMB stay the *Expanded Online Public File Order* until the FCC provides a “fully functioning” application programming interface (“API”) that permits the connection of the online file database to third-party web hosting services.³ The Commission respectfully requests that OMB deny the Broadcast1Source request and that OMB expeditiously approve the above-referenced information collections.

In 2012, the Commission required television stations to post their public inspection file documents to a central, FCC-hosted online database.⁴ That proceeding was part of an effort

¹ See Letter from Greg P. Skall, Counsel to Broadcast1Source and Cable1Source, to Nicholas A. Fraser, OMB, and Cathy Williams, FCC, dated March 28, 2016.

² See *Expansion of Online Public File Obligations To Cable and Satellite TV Operators and Broadcast and Satellite Radio Licensees*, Report and Order, MB Docket No. 14-127, FCC 16-4 (rel. Jan. 29, 2016) (“*Expanded Online Public File Order*”). On February 26, 2016, the Commission published a notice and request for comment on the information collections in the *Expanded Online Public File Order*. Broadcast1Source’s comment was filed in response to that notice and request for comment.

³ Broadcast1Source Comment at 5 (“OMB should seek a date certain by which the FCC will commit as a top level priority to produce and test a working, full functioning API” and “it is respectfully requested that the Commission’s Order be stayed until that date and the Commission has fulfilled its commitment to OMB that the API has been made available and its reliability proven.”)

⁴ See *Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations*, Second Report and Order, 27 FCC Rcd 4535 (2012) (“*Second Report and Order*”).

to modernize the procedures television broadcasters use to inform the public about how they are serving their communities, to make information concerning broadcast service more accessible to the public and, over time, to reduce the cost of broadcasters' compliance. The *Expanded Online Public File Order* expands the online file to other media entities in order to extend the benefits of improved public access to public inspection files and, ultimately, reduce the burden on these other entities of maintaining these files.

In preparation for expanding the online file in 2016, the Commission made a number of technical improvements to the online file database. Among other things, the Commission developed an API that will permit third-party services, such as Broadcast1Source, to upload documents to the online file on behalf of client radio stations and other entities. This feature will assist entities that prefer to contract with outside parties to help maintain their online public file. The Commission noted in the *Expanded Online File Order* that third-party web hosting services could provide valuable assistance to entities in uploading documents to the online file and otherwise maintaining the file, particularly smaller entities that may choose to outsource this effort because of cost savings and other resource constraints.⁵ The Commission stated that the Media Bureau and the Office of the Managing Director would provide further information about the API in the "near future" and would conduct "one or more demonstrations."⁶ It also stated that the API library would be made available for testing by covered entities and their third-party service providers prior to the effective date of the online filing requirements adopted in the proceeding.⁷

On April 13, 2016, the Commission conducted a demonstration of the API for Broadcast1Source at the Commission's headquarters in Washington, D.C. The demonstration was successful and Broadcast1Source seemed satisfied that the API would work effectively. The next step is to permit Broadcast1Source and any other interested party to actually test the API by using it to connect to the expanded online file database. Broadcast1Source indicated to the Commission after the demonstration that it is looking forward to testing the Broadcast1Source connection to the database and the API. Before that testing can take place, however, the Commission must launch the new database, making it available to the public at large, which it can do once we receive OMB approval of the above-referenced information collections. After OMB approves the information collections, the Commission will announce the date when the first group of entities added to the online file by the *Expanded Online File Order* must commence using the online file database.⁸ All users will then have a period of at least 30 days to connect to and test the expanded online file database and associated API in a fully-functional demonstration environment.

⁵ See *Expanded Online Public File Order* at para. 21.

⁶ *Id.*

⁷ *Id.*

⁸ The *Expanded Online File Order* provides that the first group of entities required to transition to the expanded online file must commence placing their new public inspection file documents in the online public file 30 days after the Commission publishes a notice in the Federal Register announcing it has received OMB approval for the information collections in the Order. See *Expanded Online Public File Order* at para. 105.

The Commission is implementing the rollout plan for the expanded online file database and API that it committed to in the *Expanded Online File Order*. In addition to the demonstration provided for Broadcast1Source, the Commission has provided demonstrations for other interested parties. The Commission will continue to provide information regarding the new database and respond to requests for information as needed both until and after the database is launched and the new rules become effective.

In light of the forgoing, the Commission respectfully requests that OMB deny Broadcast1Source's request to stay the *Expanded Online File Order*. The Commission also respectfully requests that OMB expeditiously approve the information collections referenced above so that the Commission can launch the new online file database and make it and the API available for testing by Broadcast1Source and other interested parties.

/s/

Cathy Williams
Office of Managing Director
Federal Communications Commission