

NON-SUBSTANTIVE CHANGE REQUEST JUSTIFICATION

OMB CONTROL NO. 3060-0027

Application for Construction Permit for a Commercial Broadcast Station, FCC Form 301

The Commission submits this non-substantive change request to the Office of Management and Budget (OMB) for approval of minor, non-substantive changes to the instructions and worksheets of FCC Form 301, Application for Construction Permit for a Commercial Broadcast Station. In addition, a few edits were made to the form itself to correct minor inconsistencies involving formatting or citation issues.

On August 10, 2016, the Commission adopted the *2014 Quadrennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, Second Report and Order, FCC 16-107 (rel. Aug. 25, 2016). Although the Commission left the media ownership rules largely unchanged, it implemented necessary technical updates to the rules by replacing references to obsolete analog television service contours with digital television service contours. With respect to the newspaper/broadcast cross-ownership (NBCO) rule, the Commission supplemented the requirement that, in order for the rule to apply, a newspaper must be within the service contour of the broadcast station by adding a condition that it also be in the same Nielsen market area as the station. In addition, the Commission simplified the waiver standard applicable to the NBCO rule. The changes submitted for approval update the instructions and worksheets to assist applicants in answering the form’s certification questions regarding ownership. The changes, which are listed below, do not affect the substance, burden hours, or costs of completing the form.

In the process of making these updates, Commission staff took the opportunity to make other minor edits and corrections that do not require OMB approval. Most of these edits are contained within the form’s instructions and worksheets and involve “clean-up” edits such as fixing formatting and citation inconsistencies.

Change #1 -- Updated Television Service Contours:

References to the analog Grade A television service contour are updated to the digital principal community contour, and references to the analog Grade B television service contour are updated to the digital noise limited service contour (NLSC). Contour updates are made in Worksheet 2, Section A.II, III, IV, and Section B.

Change #2 -- Updated NBCO Trigger Requirement and Waiver Standard:

The updates to the geographic scope and/or the waiver standard of the NBCO rule are made in Worksheet 2, Section A.IV and Section B.