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**FEDERAL COMMUNICATIONS
COMMISSION****47 CFR Part 73****[MB Docket Nos. 07-294; 06-121, 02-277;
04-228; MM Docket Nos. 01-235, 01-317,
00-244; FCC 07-217]****Promoting Diversification of
Ownership in the Broadcasting
Services****AGENCY:** Federal Communications
Commission.**ACTION:** Final rule; announcement of
effective date.**SUMMARY:** In this document, the
Commission announces that the Office
of Management and Budget (OMB) has
approved, for a period of three years, the
information collection requirements
contained in FCC Form 303-S. The form
changes were approved on February 2,
2011.**DATES:** The amendments to FCC Form
303-S required as a result of the rule
amendments adopted at 73 FR 28361,
May 16, 2008, are effective on March 14,
2011.**FOR FURTHER INFORMATION CONTACT:** For
additional information, please contact
Cathy Williams, cathy.williams@fcc.gov
or on (202) 418-2918.**SUPPLEMENTARY INFORMATION:** This
document announces that, on February
2, 2011, OMB approved, for a period of
three years, the information collection
requirements contained in FCC Form
303-S. The Commission publishes this
document to announce the effective date
of FCC Form 303-S. *See In the Matter
of Promoting Diversification of
Ownership in the Broadcasting Services*,
MB Docket Nos. 07-294, 06-121, 02-
277; 04-228; MM Docket Nos. 01-235,
01-317, 00-244; FCC 07-217, 73 FR
28361, May 16, 2008.**Synopsis**

As required by the Paperwork
Reduction Act of 1995 (44 U.S.C. 3507),
the Commission is notifying the public
that it received OMB approval on
February 2, 2011, for the information
collection requirements contained in
FCC Form 303-S. Under 5 CFR part
1320, an agency may not conduct or
sponsor a collection of information
unless it displays a current, valid OMB
Control Number.

No person shall be subject to any
penalty for failing to comply with a

collection of information subject to the
Paperwork Reduction Act that does not
display a valid OMB Control Number.

The OMB Control Number is 3060-
0110 and the total annual reporting
burdens for respondents for this
information collection are as follows:

OMB Control Number: 3060-0110.
OMB Approval Date: February 2,
2011.

Expiration Date: February 28, 2014.
Title: Application for Renewal of
Broadcast Station License, FCC Form
303-S; § 73.3555(d), Daily Newspaper
Cross-Ownership.

Form Number: FCC Form 303-S.
Type of Review: Revision of a
currently approved collection.

Respondents: Business or other for
profit entities; Not-for-profit
institutions; State, Local or Tribal
Governments.

Number of Respondents/Responses:
3,821 respondents and 3,821 responses.
Estimated Time per Response: 1.25-
12 hours.

Frequency of Response: Eight-year
reporting requirement; Third-party
disclosure requirement.

Total Annual Burden: 10,403 hours.
Total Annual Costs: \$3,886,358.

Obligation to Respond: Required to
obtain or retain benefits. Statutory
authority for this collection of
information is contained in Sections
154(i), 303, 307 and 308 of the
Communications Act of 1934, as
amended, and Section 204 of the
Telecommunications Act of 1996.

Nature and Extent of Confidentiality:
There is no need for confidentiality with
this information collection.

Privacy Act Impact Assessment: No
impact(s).

Needs and Uses: On December 18,
2007, the Commission adopted a *Report
and Order and Third Further Notice of
Proposed Rulemaking* (the "Order") in
MB Docket Nos. 07-294; 06-121; 02-
277; 04-228; MM Docket Nos. 01-235;
01-317; 00-244; FCC 07-217. The *Order*
adopted rule changes designed to
expand opportunities for participation
in the broadcasting industry by new
entrants and small businesses, including
minority- and women-owned
businesses. Consistent with actions
taken by the Commission in the *Order*,
the following changes are made to FCC
Form 303-S: The instructions have been
revised to incorporate a definition of
"eligible entity," which will apply to the
Commission's existing Equity Debt Plus
("EDP") standard, one of the standards
used to determine whether interests are
attributable. Section II includes a new
certification for licensees to certify that
their advertising sales agreements do
not discriminate on the basis of race or

ethnicity and that all such agreements
held by the licensee contain
nondiscrimination clauses. The
instructions for Section II have been
revised to include a new description of
the certification.

Second, Section III includes a new
question, Item 4, requiring licensees to
certify that, during the preceding license
term, the station has not been silent (or
operating for less than its prescribed
minimum operating hours) for any
period of more than 30 days, consistent
with the Commission's rules. If a
licensee cannot so certify, it must
submit an exhibit specifying the exact
dates in the preceding license term on
which the station was silent or
operating for less than its prescribed
minimum hours. *See* 47 CFR 73.1740
(Commercial Broadcast Stations); 47
CFR 73.561 (Noncommercial
Educational FM Stations); 47 CFR
73.850 (Low-power FM Stations); and
47 CFR 73.1745(b); 47 CFR 73.1740(b)
(Noncommercial Educational AM
Stations). *See also* 47 U.S.C. 309(k)
(Statutory Standards for Broadcast
Renewal Procedures); *Birach
Broadcasting Corp.*, 16 FCC Rcd 5015,
5020 (2001) (holding that a station's
failure to provide any service during the
license term is material to whether it
served the public interest, convenience,
and necessity pursuant to Section
309(k)). Consistent with the holding in
Birach, the Commission's rules for
minimum operating schedules, and the
renewal standards set forth in Section
309(k), Section III includes the new
certification and the instructions to
include a new description of the
certification.

Section III, Item 7 (previously Item 6),
has been revised to eliminate the
requirement that full power AM and FM
licensees submit an exhibit to
demonstrate compliance with the
Commission's maximum permissible
radio frequency ("RF") electromagnetic
exposure limits, in the event that they
are unable or not eligible to use the RF
worksheets contained in the
instructions of the Form. All applicants
continue to be required to certify that
their facilities comply with the
Commission's maximum permissible RF
limits. The elimination of the exhibit
requirement for radio broadcasters,
conforms the question so it is now
consistent with the requirements for
licensees of broadcast television
stations, translator (FM and TV
stations), and low-power FM stations,
who are not required to submit an
exhibit. The instructions for Section III,
Item 7 and Worksheet #1 Environmental
have been revised accordingly.

Section V, Item 4 has been revised to clarify that Low Power TV ("LPTV") stations still need to file Form 396 with the renewal application, but that they may or may not need to file a public file report and post it to their Web site. The word "as" has been replaced with the word "if." The old version stated that stations are required to certify that they have created a public file report and posted it to their Web sites "as" required by regulation. The instructions have been revised to explain that for Section V, Item 4, only LPTV stations that are part of a station employment unit with

full-power stations, where the unit employs at least five or more full-time employees, needs to file a public file report and post it to the station Web site. Other LPTV stations do not have to create a public file report because they do not have a public file.

Additionally, a small number of typographical errors have been corrected throughout the instructions and form.

Finally, the burden hours and burden costs published in the **Federal Register** on October 13, 2010, 75 FR 62816 have been reduced to reflect that only

applicants for renewal of commercial broadcast stations are required to complete the new certification in Section II, Item 7 that their advertising sales agreements do not discriminate on the basis of race or ethnicity and that all such agreements contain nondiscrimination clauses.

Federal Communications Commission.

Bulah P. Wheeler,

*Deputy Manager, Office of the Secretary,
Office of Managing Director.*

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