



Attention: New York Radio Stations Which Have Not Populated Their Online Public File Must Do So Now

All radio stations were required to upload their public file materials to the FCC's online public file system by **March 1, 2018**. Last November, the FCC activated online public file accounts for any radio stations that had not already moved their files to the online system. It appears, however, that hundreds of radio stations, may not have completed (or even begun) the process of uploading their files.

In general, applications, ownership reports and other things that you have filed with the FCC should already have been placed in your online public file by the FCC. If some of those materials are missing, you can upload them yourself.

What stations must do themselves is upload EEO reports, quarterly issues/program lists, and other public file material that is not otherwise filed with the FCC. All stations must upload political file materials created after March 1, 2018. Commercial radio stations in the top 50 markets with fewer than five fulltime employees and all commercial radio stations outside of the top 50 markets do not have to upload older political file material, but stations not in those categories (i.e., commercial stations in the top 50 markets which have five or more fulltime employees) must have uploaded political file material created after June 24, 2016 (although political files older than two years can be removed from the public file).

If your station has not uploaded its complete public file material, you should do so immediately. **License renewal applications for New York radio stations will be due on February 1, 2022.** The renewal form will ask stations to certify that the required documents have "been placed in the station's public inspection file at the appropriate times." Stations which cannot make this certification must submit an explanation of what documents were not put into the file, or the delay in placing them in the file, and any justifications.

We expect that the FCC will conduct at least random reviews of stations' online public files, and possibly review every file, as part of the license renewal process. Stations that do not have complete online public files will face questions from the staff and probably forfeitures. Even if you are missing items now, uploading the required items to the online file system may reduce the size of any penalties, although stations will still have to explain that the files were uploaded late.

Whatever the reason for failing to maintain a complete online public file, the worst thing that stations can do is certify that they timely uploaded all required material. The FCC's system shows the date materials were uploaded, and the FCC will see if they were not placed in the file on time, and FCC staff will also be able to see if any required items are missing. And the

penalties for making a false certification are far greater than the penalty for a public file violation.

Stations needing assistance in using the online file system can find answers to Frequently Asked Questions at <https://publicfiles.fcc.gov>

If you have any additional questions contact David Donovan at ddonovan@nysbroadcasters.org