



# OREGON COMMUNITY MEDIA

A Periodic Newsletter

Fall 2021

## Oregon Community Media Fall Meeting

**Saturday, September 25, 10:00am-Noon**  
**Come tell your 2020-21 station story!**



### Notes from the Vice President

Hello folks!

This has been quite the year or two as we continue our battle on many fronts against Covid, climate change, political differences, racial and gender inequity and countless more.

The importance of strong Local Community Radio is as essential as ever! Oregon Community Media is here to provide an opportunity to unite our voices, support each other and in numbers become resilient in today's present environment.

On top of all that, it is license renewal time for LPFM and NCE stations.

Do your NCE stations have your public file in order? (LPFM stations are not required to have an on-line public file.

Can you navigate the online process? It's a good idea to get familiar with the FCC's new application filing system - LMS. See the article in this newsletter and at our Fall Zoom Meeting (September 25) we will be addressing last minute details of the renewal process.

Did you know there is a NCE window happening soon? There is also an article on this too, in this newsletter. This also will be addressed at our Fall Zoom Meeting September 25th.

At the meeting, the Oregon Community Media (OCM) Board and affiliates will share fundraising ideas, EAS updates and technical information that further the development and sustainability of statewide Community Radio stations.

In these challenging but stimulating times, let OCM be of service to help your Community Radio Station thrive as you adapt to incessantly changing situations. You are not alone.

In the spirit of Community and Community Radio Stations, THANK YOU!

Don Senter  
Oregon Community Media Vice President

(If you are wondering, Our President, David Hammock who usually writes this column, was unavailable due to personal reasons.)

### Agenda for OCM Fall Meeting: **September 25, 10-12**

License Renewal – Betty McArdle (CMAP) will lead a 30 min. presentation and discussion.

Tutorial on LMS (License and management system) – a step by step presentation by Michael Brown

November window for new NCE licenses – Betty McArdle

Collaboration between affiliates

Important dates to remember – Betty and Michael

Roundabout – Stations asked to give a brief update about their station and share Ideas about fundraising online

**Zoom link will be emailed to OCM list.**

# Radio Station License Renewal Process - More Details

FCC 303-S

## APPLICATION FOR RENEWAL OF BROADCAST STATION LICENSE

FOR FCC USE ONLY	
FOR COMMISSION USE ONLY	
FILE NO.	

**All radio stations in Oregon are required to apply for license renewal by October 1, 2021.** There are many things each station needs to do to get ready for application filing. The procedures are somewhat different for full-power NCE stations and LPFM stations.

Below are highlights from a presentation made by Michael Cousens, broadcast attorney, at an OCM meeting last spring. **See the full presentation at [http://www.c-map.org/fact\\_sheetsmaps/license\\_renewal\\_fact\\_sheet](http://www.c-map.org/fact_sheetsmaps/license_renewal_fact_sheet)**

**The Federal Communications Commission does not send any e-mail or a post card reminder to a radio station to indicate that its license is coming up for renewal.**

For all of Oregon stations the renewal date is February 1, 2022. This briefing sets forth the sequence of things that need to be done for a successful renewal.

**NOW:** Inventory, and make sure you have uploaded required reports in your on-line FCC public file before filing your renewal application (NCE full-power only).

License renewal application must be filed with the FCC by **October 1, 2021**.

**Within 5 business days** following FCC's acceptance of renewal application: the station must broadcast announcements (6 total, at least once per week for four consecutive weeks); place hyperlink to station's public file on website (for 30 days).

**Within 7 days** of the broadcast of the final required renewal announcement: File a Certification of Announcements in the on-line public file. The on-air announcements, and a hyperlink to the station's public file on the web page, are all that is required.

**Low Power FM Stations** have the same obligations as NCE stations, as far as on-air announcements of renewals and other major applications.

**On-line Public Inspection File.** By now, all full-power NCE stations should have created and are maintaining an FCC-hosted on-line public file. (FM Translators, boosters and LPFM stations are not required to have one.) A station required to have a public file must have one **in order and complete** to secure a license renewal.

Go here, <https://publicfiles.fcc.gov/about-station-profiles/>, to see a complete list of what is required to be in your station's Public Inspection File.

An LPFM, like any other originating station, must have a *political* file if the station is accepting and broadcasting political messages.

### Section I - General Information - TO BE COMPLETED BY ALL APPLICANTS

One of the questions in the renewal application for NCEs asks, in Yea-or-Nay format:

**On Line Public Inspection File:** "Licensee certifies that the documentation required by 47 C.F. R. Section 73.3526 or 73.3527, as applicable, has been uploaded to the station's public inspection file as and when required."

In the renewal application it is vital to answer this question **truthfully**, and to use an exhibit to set forth **any and all** deficiencies of reporting or timing. An untrue answer, even if it seems innocuous, could delay the grant of renewal or could trigger a fine!!

### Reports that Need to be Finished Prior to Submittal of the Renewal Application

The renewal applicant should inventory required reports in its on-line public file, before attempting to fill out the renewal application. (See full presentation for details at [www.c-map.org/oregon\\_license\\_renewal\\_info.](http://www.c-map.org/oregon_license_renewal_info/))

Provided attention has been given in advance to all the reports that needed to be included in the on-line public file, the renewal application form is not especially difficult or complicated. It is found in a pull-down menu under the "authorization" tab for the licensed facility, in LMS, <https://enterpriseefiling.fcc.gov/dataentry/login.html>.

A renewal application should be filed on time **without fail!** The processing of renewals depends crucially on timely compliance with deadlines. An untimely renewal application is itself a rule violation.

If a renewal is delayed for any reason, the license continues in effect and the station may continue to operate past the expiration date, until the matter is resolved. The FCC will not notify you of any delay, or why there might be a delay. You need to ask if you have not heard from them by 60-90 days after filing.

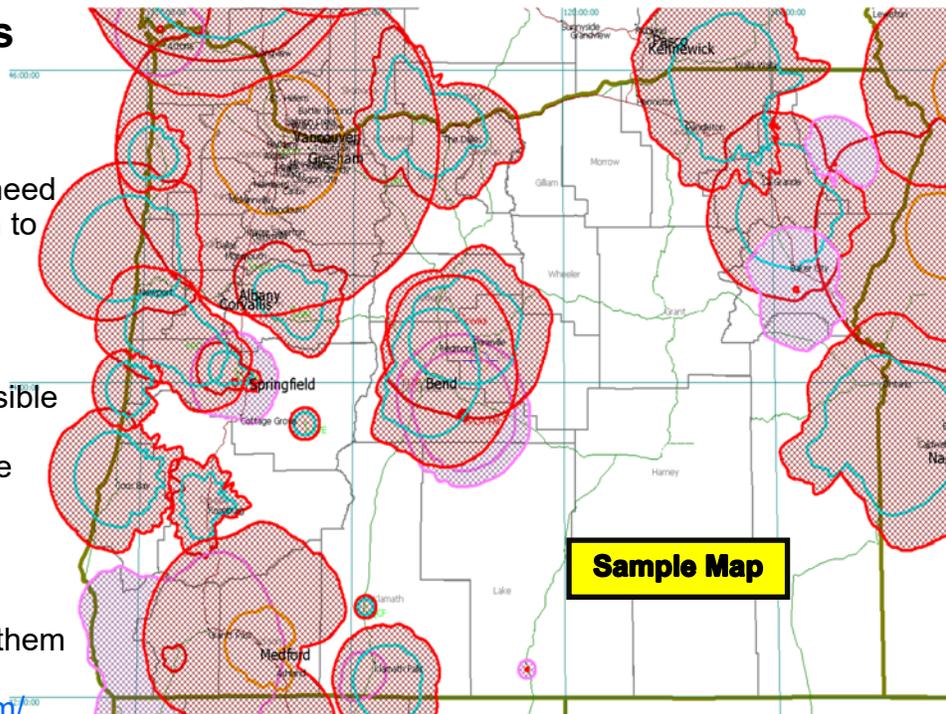
***NOTE: This briefing is intended as a service to community radio. It broadly identifies timing and issues in the renewal process. It is not formal legal advice.***

## Are there any frequencies left in Oregon?

See maps of areas in Oregon with **potential** frequencies. There would need to be further engineering investigation to determine if in fact there are available frequencies in the areas not already covered by other stations.

In some (very few) cases, it is possible to use engineering devices such as rimshots to squeeze in a station where there currently is no area not already covered by another station.

Go to CMAP's website to see the maps and instructions on how to use them at [www.c-map.org/factsheets/maps](http://www.c-map.org/factsheets/maps). Another tool is here, <https://recnet.com/nce2021-map>.



## Upcoming Important Dates

**Announcing:** GRC (Grassroots Radio Conference) 2021 Lite - the September Sessions: "The Michaels", Attorney (Cousens) & Engineer, (Brown) **Reveal Their Deepest Secrets!** **"How to Win a Full-Power NCE Station, in the November Filing Window"**. September 9 - 8:00pm Eastern, 5:00pm Pacific.



Join Zoom <https://us02web.zoom.us/j/88266152730?pwd=d2lmQ3VpM3lwTXNPRno3ZkcxWmVKdz09>

**September 25** - Oregon Community Media Fall Meeting, 10am-Noon. Zoom link will be emailed to the OCM list, or contact conie.saldana@kskq.org, to get the Zoom link.

**September 27** - NATIONWIDE EAS TEST, ETRS Form Three Due

**October 1st** - Deadline for filing station license renewal for Oregon stations. See *article page 2*

**November 2nd-9th** - Open Window for applying for new NCE stations and for applying for major changes to existing stations. See *article page 5*

## Resources

There are several summaries and guides from:  
 Rec-Net (<https://recnet.com/>)  
 CMAP ([www.c-map.org](http://www.c-map.org)),  
 Prometheus Radio Project (<https://www.prometheusradio.org/>),  
 Common Frequency (<https://commonfrequency.org/>).

You can find A synopsis from CommLawBlog (Fletcher, Heald & Hildreth): <https://www.commlawblog.com/2019/12/articles/broadcast/picking-nce-and-lpfm-winners-simplified-nce-and-lpfm-station-transfer-rules-relaxed/>.

The full Report and Order with the latest Rule changes for Full-Power NCE and LPFM, is at <https://docs.fcc.gov/public/attachments/FCC-19-127A1.pdf>





## Meet an OCM Affiliate



### Meet KAYN - Bay City!

The airwaves around Tillamook Bay are buzzing with the sounds of KAYN-LP, 92.9FM, a fledgling low-power FM station broadcasting from the top of the Bay City Arts Center (BCAC) in downtown Bay City.

KAYN puts out a potent mix of "middle of the road" music 24 hours a day, commercial-free.

The station also hosts a number of locally-produced radio shows, live musical performances from the BCAC music hall, and public service announcements from the City of Bay City and local non-profits.

The BCAC's Board of Directors manages the day-to-day operations of the station and do the fundraising to keep it going.

KAYN announced in spring of 2021 that it was awarded a grant from the City of Bay City to fund a year of on-line streaming of KAYN, to begin in September. The City also awarded the BCAC funds to further develop its audio and video production capabilities.

"We've got big plans to grow our programming and our community offerings," says Rob Russell, BCAC President. "Besides offering great music and community services on KAYN, the BCAC is in the process of developing our studios into a state-of-the-art resource for local musicians and recording engineers.

Our vision is for a non-profit, community-based production facility and radio station that complement each other, and provide educational opportunities for people of all ages."



**Ladybird records her *Need to Know Show* in the studio at KAYN.**

### OCM Affiliates' websites

KSKQ, 89.5, Ashland, [www.kskq.org](http://www.kskq.org)

KPOV-FM, 88.9, Bend, <http://www.kpov.org/>

KSHD-LP, 99.1, Shady Cove, <https://cp10.shoutcheap.com:18110/stream>

KBOO, 90.7, Portland, <https://kboo.fm/>

KMUN, 91.9, Astoria, <http://coastradio.org/>

KMUZ, 88.5, Turner/Salem, <http://kmuz.org/>

KWSO, 91.9, Warm Springs, <http://www.kwso.org>

KYAQ, 91.7, Siletz, <http://kyaq.org>

KXCJ-LP, 105.7, Cave Junction, <https://kxcj.org/>

KBOG-LP, 97.9, <https://kbog.org/>

KAYN-LP, 92.9, Bay City, <https://baycityartscenter.weebly.com/bcac-radio-station.html>

KEPW-LP, 97.3, Eugene, <https://archive.kepw.org/>

KYAC-LP, 94.9, Mill City, <https://www.kyacfm.org/>

KORC-LP, 105.9, Corvallis, <https://www.korcfm.com/>

KOCF-LP, 92.7, Veneta, <http://kocf.org/>

OCM, <https://oregoncommunitymedia.org/>

CMAF (Community Media Assistance Project), [www.c-map.org](http://www.c-map.org)



**THE WINDOWS ARE  
COMING!  
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The FCC has announced an NCE (full-power) window for 11/2-9, 2021. Typically, all non-window applications are frozen 30 days before a Window. If you're looking to change or upgrade your existing NCE station, your last chance to do it might be in the next 60 days.

The Window —no early or late filing. There is no viewing of other applications until the Window has closed. Most errors cannot be fixed once the window has closed. Post-window amendments can only degrade, not enhance, an applicant's competitive position.

#### **Who May Apply:**

Any state-recognized non-profit entity; 501c3 status is NOT required. State-recognized educational institutions, including for-profit schools. Religious organizations and congregations, Government entities, including tribal entities.

75% or more of board must be U.S. Citizens (with possible exceptions).

Applicant does NOT have to be local, but it helps with the Points.

#### **Is there anything Left?**

Signals that would cover Top-250 Metros (100k or larger) are long gone in most cases. There are a few exceptions. With good line-of-sight, distant "rim shots" can sometimes work. Construction Permits that were never built may present some opportunities. Consultants can help you search for possibilities.

#### **Expand Your NCE Group:**

With the demise of the Main Studio Rules, it's easier than ever for existing NCE stations to add "satellite" stations, with little hassle. No need to obtain a "main studio waiver". NCE satellite stations can be operated like translators, but with the long-term security and interference protection of a full-power station.

Rural listeners, while less numerous, can be very loyal supporters. They have far fewer choices and distractions.

#### **Transition LPFM to NCE:**

There is no direct upgrade path from LPFM to NCE, but they can "trade up". LPFM licensees can apply for one or more NCE stations, with a properly-

worded divestiture pledge. The LPFM can be retained and operated up to the moment that the NCE station begins regular operations.

#### **After the NCE Window Closes:**

If past procedures are followed again, the FCC will open an initial NCE Settlement Window before even announcing the competing MX (Mutually Exclusive) groups. Your engineer should be able to predetermine your MX group status. MX applicants are allowed to submit unilateral technical solutions, settlements with other applicants, or voluntary time-share agreements. Voluntary settlements can include payoffs, limited to the "reasonable and prudent" expenses in filing.

Eventually, the FCC will announce the remaining MX Groups. Settlements & solutions will continue to be accepted for a while. If no settlements or solutions are offered, the FCC will begin judging the applicants on the Point System, and only ONE applicant per MX group will be granted.

#### **Think Big & Avoid Mistakes:**

Those that prevail are usually local and established for at least two years, propose serving underserved areas, have no other stations (or at least no other overlapping stations), and propose as large a facility as possible. Be sure it's practical to build, and that you can afford the tower rent. There are several winners in the western states that were too ambitious and never got built. The 2nd place finishers had no recourse.

#### **Get Good Help:**

The FCC has twice as many attorneys as engineers. You'll want at least one of each. Your attorney and engineering consultant should be specifically experienced in FCC broadcast applications. Very few things are "fixable" after filing. Make sure the board is everything you say it is. Get a written and hand-signed "Reasonable Assurance" letter for the tower site. Assume that you'll be challenged on everything by a nasty, aggressive, & conniving competitor.

#### **Learn More:**

Go to [www.c-map.org](http://www.c-map.org) for a list of summaries and guides.

We are expecting a window for new LPFMs in 2022 or 2023. We will cover all the information for that window in a later newsletter.

Is this just enough information to make your head spin? Betty McArdle at CMAP can help at no charge to your organization or station. Contact her at [betty@c-map.org](mailto:betty@c-map.org), 503-245-5756.