

Construction Permit or License, FCC Form 314.

Form Number: FCC 314.

Respondents: Business or other for-profit entities; Not-for-profit institution.

Number of Respondents: 1,825.

Estimated Time per Response: 1 to 2 hours.

Frequency of Response: On occasion reporting requirements; Third party disclosure.

Total Annual Burden: 3,800 hours.

Total Annual Cost: \$15,572,081.25.

Needs and Uses: FCC Form 314 and the applicable exhibits/explanations are required to be filed when applying for consent for assignment of an AM, FM or TV broadcast station construction permit or license, along with applicable exhibits and explanations. In addition, the applicant must notify the Commission when an approval assignment of a broadcast station construction permit or license has been consummated. Specific to this collection of information approved under OMB control number 3060-0031, and in accordance with paragraph 498 of the R&O, the Commission will require all applicants to submit an exhibit demonstrating compliance with the Commission's multiple ownership rules and cross-media limits, or supporting an exemption from, or waiver of, 47 CFR 73.3555. With respect to radio station assignment applications, we will require parties to show compliance with the local radio ownership rule using either the interim contour-overlap methodology previously called for in FCC Form 314, or the newly adopted geographic-based Arbitron Metro methodology. Under our modified rules, Joint Sales Agreements (JSAs) will be attributable. A JSA is defined as an agreement with a licensee of a brokered station that authorizes the broker to sell advertising time for the brokered station in return for a fee paid to the licensee. Parties with attributable radio JSAs at the time of filing an FCC Form 314 will now be required to file a copy of the JSA as part of the application. With respect to pending radio station assignment applications, the parties are required to amend their applications by submitting attributable JSAs. In addition, parties with existing attributable JSAs in Arbitron Metro markets will be required to file a copy of the JSA within 60 days of the effective date of the R&O. For JSAs involving radio stations located outside of Arbitron Metros, we will require such JSAs to be filed within 60 days of the effective date of our decision in Docket 03-130, as mentioned above, unless a different date is announced in that decision. With respect to television station assignment applications, the

parties will, for the first time, be required to submit an exhibit identifying the relevant Designated Market Area (DMA) as measured by Nielson Research, the number of commercial and noncommercial education stations in the DMA, and the market rankings of the top-four commercial television stations. Radio and television applicants will now also be required to submit as part of FCC Form 314 a copy of any attributable time brokerage agreement ("TBA") (see 47 CFR 73.3613 for definition) pursuant to which the assignee will supply programming to the station(s) subject to the application or with any other station in the same market as the station(s) subject to the application. 47 CFR 73.3613 already required the filing of an TBA within 30 days of execution. On June 2, 2003, the Commission announced by Public Notice, DA 03-1877, that applicants with long-form assignment or transfer of control applications (FCC Form 314 or 315) or with modification applications (FCC Form 301) that were pending as of adoption date of the R&O may amend those applications by submitting new multiple ownership showings to demonstrate compliance with the new rules. Applicants may file such amendments once notice has been published by the Commission in the **Federal Register** that OMB has approved the information collection requirements contained in such amendments. Applicants may also submit a complete and adequate showing supporting a waiver of, or exemption from, the new rules. The Commission has established a freeze on the filing of all commercial radio and television assignment applications that require the use of FCC Form 314. The freeze will be in effect starting with the R&O's adoption date until notice has been published by the Commission in the **Federal Register** that OMB has approved the revised FCC Forms 314. Upon such publication, parties may file new applications, but only if they demonstrate compliance with the new multiple ownership rules adopted in the R&O, or submit complete and adequate showings that a waiver of the new rules is warranted.

OMB Control Number: 3060-0032.

Type of Review: Revision of a currently approved collection.

Title: Application for Consent to Transfer Control of Entity Holding Broadcast Station Construction Permit or License, FCC Form 315.

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Number of Respondents: 1,825.

Estimated Time per Response: 1 to 2 hours.

Frequency of Response: On occasion reporting requirements; third party disclosure.

Total Annual Burden: 3,800 hours.

Total Annual Cost: \$15,572,081.25.

Needs and Uses: FCC Form 315 and applicable exhibits/explanations are required to be filed when applying for transfer of control of an entity holding an AM, FM or TV broadcast station construction permit or license, along with applicable exhibits and explanations. In addition, the applicant must notify the Commission when an approved transfer of control of a broadcast station construction permit or license has been consummated. Specific to this collection of information approved under OMB control number 3060-0032, and in accordance with paragraph 498 of the R&O, the Commission will require all applicants to submit an exhibit demonstrating compliance with the Commission's multiple ownership rules and cross-media limits, or supporting an exemption from, or waiver of, 47 CFR 73.3555. With respect to radio station transfer of control applications, we will require parties to show compliance with the local radio ownership rule using either the interim contour-overlap methodology previously called for in FCC Form 315, or the newly adopted geographic-based Arbitron Metro methodology. Under our modified rules, Joint Sales Agreements (JSAs) will be attributable. Parties with attributable radio JSAs at the time of filing an FCC Form 315 will now be required to file a copy of the JSA with the application. With respect to pending radio station transfer of control applications, the parties are required to amend their applications by submitting attributable JSAs. In addition, parties with existing attributable JSAs in Arbitron Metro markets will be required to file a copy of the JSA within 60 days of the effective date of the R&O. For JSAs involving radio stations located outside of Arbitron Metros, we will require such JSAs to be filed within 60 days of the effective date of our decision in Docket 03-130, as mentioned above, unless a different date is announced in that decision. With respect to television station transfer of control applications, the parties will, for the first time, be required to submit an exhibit identifying the relevant Designated Market Area (DMA) as measured by Nielson Research, the number of commercial and noncommercial education stations in the DMA, and the market rankings of the top-four