

APPLICATION FOR DIGITAL TELEVISION BROADCAST STATION LICENSE

GENERAL INSTRUCTIONS

A. This FCC Form is to be used to apply for a new or modified noncommercial educational or commercial digital television (DTV) broadcast station license. It **may be used**:

- To cover an authorized construction permit (or auxiliary antenna), provided that the facilities have been constructed in compliance with the provisions and conditions specified on the construction permit.
- To implement modifications to existing licenses as permitted by 47 C.F.R. Sections 73.1675(c) or 73.1690(c).

The form **may not be used**:

- To change location of the tower structure. Any such relocation requires the prior filing and approval of FCC Form 301 or 340, as appropriate. See 47 C.F.R. Section 73.1690(b)(2).
- To alter licensed directional radiation characteristics or to exceed the composite antenna pattern authorized in an underlying construction permit. Any such alteration requires the prior filing and approval of FCC Form 301, as appropriate. See 47 C.F.R. Section 73.1690(b)(3).
- To change the operating power or ERP from that specified in the station authorization, except as permitted by 47 C.F.R. Section 73.1690(c). Any other such change requires the prior filing and approval of FCC Form 301 or 340, as appropriate. See 47 C.F.R. Section 73.1690(b)(7).
- To increase the height of the antenna radiation center by more than two meters or decrease radiation center height by more than four meters from the value specified in the station's current construction permit or license. Any such modification requires the prior filing and approval of FCC Form 301 or 340, as appropriate. See 47 C.F.R. Section 73.1690(c).

The form consists of the following sections:

- I. General Information
- II. Legal Qualifications
- III. Preparer's Certification (for preparer of engineering sections of the application) and Engineering Data

B. This application form makes references to FCC rules. Applicants should have on hand and be familiar with current broadcast rules in Title 47 of the Code of Federal Regulations (C.F.R.):

- (1) Part 0 "Commission Organization"
- (2) Part 1 "Practice and Procedure"
- (3) Part 73 "Radio Broadcast Services"

FCC Rules may be purchased from the Government Printing Office. Current prices may be obtained from the GPO Customer Service Desk at (202) 512-1803. For payment by credit card, call (202) 512-1800, M-F, 8 a.m. to 4 p.m. e.s.t; facsimile orders may be placed by dialing (202) 518-2233, 24 hours a day. Payment by check may be made to the Superintendent of Documents, Attn: New Orders, P.O. Box 371954, Pittsburgh, PA 15250-7954.

C. Electronic Filing of Application Forms. The Commission is currently developing electronic versions of various broadcast station application and reporting forms, such as this application form. As each application form and report goes online, the Commission will by Public Notice announce its availability and the procedures to be followed for accessing and filing the application form or report electronically via the Internet. For a six-month period following the issuance of the Public Notice, the subject application form or report can be filed with the Commission either electronically or in a paper format. Electronic filing will become mandatory, on a form-by-form basis, six months after each application form or report becomes available for filing electronically.

D. Applicants that prepare this application in paper form should file an original and two copies of this application and all exhibits. Applicants should follow the procedures set forth in Part 0 and Part 73 of the Commission's Rules. Amendments to previously filed applications should be prepared, signed and filed in the same manner as the original application, and should contain the following information to identify the associated application:

- (1) Applicant's name.
- (2) Service.
- (3) Call letters.
- (4) Channel number.
- (5) Community of license.
- (6) File number of application being amended (if known).

- (7) Date of filing of application being amended (if file number is not known).
- E. A copy of the completed application and all related documents shall be made available for inspection by the public in the applicant's public inspection file pursuant to 47 C.F.R. Section 73.3526 for commercial stations and 47 C.F.R. Section 73.3527 for noncommercial educational stations.
- F. Applicants should provide all information requested by this application. No section may be omitted. If any portions of the application are not applicable, the applicant should so state. **Defective or incomplete applications will be returned without consideration.** Inadvertently accepted applications are also subject to dismissal.
- G. In accordance with 47 C.F.R. Section 1.65, applicants have a continuing obligation to advise the Commission, through amendments, of any substantial and material changes in the information furnished in this application. This requirement continues until the FCC action on this application is no longer subject to reconsideration by the Commission or review by any court.
- H. This application requires applicants to certify compliance with many statutory and regulatory requirements. Detailed instructions provide additional information regarding Commission rules and policies. These materials are designed to track the standards and criteria which the Commission applies to determine compliance and to increase the reliability of applicant certifications. They are not intended to be a substitute for familiarity with the Communications Act and the Commission's regulations, policies, and precedent. While applicants are required to review all application instructions, they are not required to complete or retain any documentation created or collected to complete the application.
- I. This application is presented primarily in a "Yes/No" certification format. However, it contains appropriate places for submitting explanations and exhibits where necessary or appropriate. Each certification constitutes a material representation. Applicants may only mark the "Yes" certification when they are certain that the response is correct. A "No" response is required if the applicant is requesting a waiver of a pertinent rule and/or policy, or where the applicant is uncertain that the application fully satisfies the pertinent rule and/or policy. Thus, a "No" response to any of the certification items **will not** cause the immediate dismissal of the application provided that an appropriate exhibit is submitted.
- J. **The applicant, and the applicant's authorized engineering representative, if any, must sign the application.** Depending on the nature of the applicant, the

application should be signed as follows: if a sole proprietorship, personally; if a partnership, by a general partner; if a corporation, by an officer; for an unincorporated association, by a member who is an officer; if a governmental entity, by such duly elected or appointed official as is competent under the laws of the particular jurisdiction. Counsel may sign the application for his or her client, but only in cases of the applicant's disability or absence from the United States. If the application is filed electronically, the signature will consist of the electronic equivalent of the typed name of the individual. See Report and Order in MM Docket No. 98-43, 13 FCC Rcd 23056, 23064 (1998).

INSTRUCTIONS FOR SECTION I: GENERAL INFORMATION

- A. **Item 1: Applicant Name.** The legal name of the applicant must be stated exactly in Item 1. If the applicant is a corporation, the applicant should list the exact corporate name; if a partnership, the name under which the partnership does business; if an unincorporated association, the name of an executive officer, his/her office, and the name of the association; and, if an individual applicant, the person's full legal name.

Applicants should use only those state abbreviations approved by the U.S. Postal Service.

FCC Registration Number (FRN). To comply with the Debt Collection Improvement Act of 1996, the applicant must enter its FRN number, a ten-digit unique entity identifier for anyone doing business with the Commission. The FRN can be obtained through the FCC webpage at <http://www.fcc.gov> or by manually submitting FCC Form 160. FCC Form 160 is available for downloading from <http://www.fcc.gov/formpage.html> or by calling 1-800-418-3676. Questions concerning the FCC Registration Number can be directed to the Commission's Registration System help desk at <http://www.CORES@fcc.gov> or by calling 1-877-480-3201.

Facility ID Number. Radio and TV Facility ID Numbers can be obtained at the FCC's Internet Website at www.fcc.gov/mb. Once at this website, scroll down and select CDBS Public Access. You can also obtain your facility number by calling: Radio (202) 418-2700; TV (202) 418-1600. Further, the Facility ID Number is now included on all Radio and TV authorizations and postcards.

- B. **Item 2: Contact Representative.** If the applicant is represented by a third party (for example, legal counsel), that person's name, firm or company, mailing address and telephone/ electronic mail address may be specified in Item 2.

C. **Item 3: Fees.** The Commission is statutorily required to collect charges for certain regulatory services to the public. Generally, applicants seeking a license to cover the facility authorized by, and constructed pursuant to, an outstanding permit are required to pay and submit a fee with the filing of FCC 302-DTV. However, governmental entities, which include any possession, state, city, county, town, village, municipal corporation or similar political organization or subpart thereof controlled by publicly elected and/or duly appointed public officials exercising sovereign direction and control over their respective communities or programs, are exempt from the payment of this fee. Also exempted from this fee are licensees and permittees of noncommercial educational broadcast stations seeking a license to cover authorized facilities. See 47 C.F.R. Section 1.1114.

When filing a fee-exempt application, an applicant must complete Item 3 and provide an explanation as appropriate.

Applications **NOT** subject to a fee may be hand-delivered or mailed to the FCC at its Washington, D.C. offices. See 47 C.F.R. Section 0.401(a). Fee-exempt applications should not be sent to the Mellon Bank Lockbox; so doing will result in a delay in processing the application.

The Commission's fee collection program utilizes a U.S. Treasury lockbox bank for maximum efficiency of collection and processing. Prior to the institution of electronic filing procedures, all FCC Form 302-DTV applications requiring the remittance of a fee, or for which a waiver or deferral from the fee requirement is requested, must be submitted to the appropriate post office box address. See 47 C.F.R. Section 0.401(b). A listing of the required fee and the address to which FCC Form 302-DTV should be mailed or otherwise delivered are also set forth in the "Mass Media Services Fee Filing Guide." This document can be obtained either by writing to the Commission's Form Distribution Center, 9300 E. Hampton Drive, Capital Heights, Maryland 20743, or by calling 1-800-418-FORM and leaving a request on the answering machine provided for this purpose. See also 47 C.F.R. Section 1.1104. The Fee Filing Guide also contains a list of the Fee Type Codes needed to complete this application.

Payment of any required fee must be made by check, bank draft, money order, or credit card. If payment is made by check, bank draft, or money order, the remittance must be denominated in U.S. dollars, drawn upon a U.S. institution, and made payable to the Federal Communications Commission. No postdated, altered, or third-party checks will be accepted. **DO NOT SEND CASH.** Additionally, checks dated six months or older will not be accepted.

FCC Form 159 must be submitted with any application subject to a fee received at the Commission.

Procedures for payment of application fees when

applications are filed electronically will be announced by subsequent Public Notice. See General Instruction C above. Payment of application fees may also be made by Electronic Payment **prior to** the institution of electronic filing, provided that prior approval has been obtained from the Commission. Applicants interested in this option must first contact the Credit and Debt Management Center at (202) 418-1995 to make the necessary arrangements.

Applicants hand-delivering FCC Forms 302-DTV may receive dated receipt copies by presenting copies of the applications to the acceptance clerk at the time of delivery. For mailed-in applications, a "return copy" of the application should be furnished and clearly marked as a "return copy." The applicant should attach this copy to a stamped, self-addressed envelope. Only one piece of paper per application will be stamped for receipt purposes.

For further information regarding the applicability of a fee, the amount of the fee, or the payment of the fee, applicants should consult the "Mass Media Services Fee Filing Guide."

D. **Item 4: Facility Information.** This question asks the applicant to specify: (1) whether commercial or noncommercial educational operation is proposed; (2) whether the license covers the main or auxiliary transmitter; and (3) the community to which the station will be licensed.

E. **Item 5: Program Test Authority.** The permittee of an DTV station with a nondirectional antenna may commence program testing upon completion of construction and notification to the Video Services Division of the Commission's Mass Media Bureau, **provided** that: (1) an FCC Form 302-DTV is filed within 10 days of the commencement of program tests; and (2) the permit does not contain any special operating conditions that prohibit automatic program test authority. Accordingly, this question asks whether the applicant is operating pursuant to automatic program test authority or requesting program test authority.

F. **Item 6: Purpose of Application.** This question asks whether the FCC Form 302-DTV is being filed to cover an outstanding construction permit or to modify an authorized license without first obtaining a construction permit pursuant to the Report and Order in MM Docket No. 96-58, 12 FCC Rcd 12371 (1997). It also requires that the applicant identify the permit covered or license being modified.

INSTRUCTIONS FOR SECTION II: LEGAL INFORMATION

A. **Item 1: Certification.** Each applicant is responsible for the information that the application instructions convey. As

a key element in the Commission's streamlined licensing process, a certification that these materials have been reviewed and that each question response is based on the applicant's review is required.

- B. **Item 2: Permit Conditions.** This question requires the applicant to certify that all terms, conditions, and obligations set forth in the underlying construction permit have been fully met. Each applicant should review its underlying construction permit carefully prior to making its certification to confirm that the facility was constructed exactly in accordance with the permit. If any such term, condition, or obligation has not been fulfilled, the applicant should respond "No" to Section II, Item 2 and provide an appropriate explanatory exhibit. See 47 C.F.R. Section 73.1690.
- C. **Item 3: Changed Circumstances.** This question requires the applicant to certify that all information provided in the underlying construction permit application remains correct. If any circumstance has arisen which would cause any statement or representation contained in the construction permit application to be incorrect, the applicant should respond "No" to Section II, Item 3 and provide an appropriate explanatory exhibit.
- D. **Items 4 and 5: Character Issues/Adverse Findings.** Item 4 requires the applicant to certify that neither it nor any party to the application has had any interest in or connection with an application that was or is the subject of unresolved character issues. An applicant must disclose in response to Item 5 whether the applicant or any party to the application has been the subject of a final adverse finding with respect to certain relevant non-broadcast matters. The Commission's character policies and litigation reporting requirements for broadcast applicants focus on misconduct which violates the Communications Act or a Commission rule or policy and on certain specified non-FCC misconduct. In responding to Items 4 and 5, applicants should review the Commission's character qualifications policies, which are fully set forth in Character Qualifications, 102 FCC 2d 1179 (1985), reconsideration denied, 1 FCC Rcd 421 (1986), as modified, 5 FCC Rcd 3252 (1990) and 7 FCC Rcd 6564 (1992).

NOTE: As used in this question, the term "party to the application" includes any individual or entity whose ownership or positional interest in the applicant is attributable. An attributable interest is an ownership interest in or relation to an applicant or licensee which will confer on its holder that degree of influence or control over the applicant or licensee sufficient to implicate the Commission's multiple ownership rules. In responding to Items 4 and 5, applicants should review the Commission's multiple ownership attribution policies and standards which are set forth in the Notes to 47 C.F.R. Section 73.3555, as revised and explained in in Review of the Commission's

Regulations Governing Attribution of Broadcast and Cable/MDS Interests, 14 FCC Rcd 12559 (1999), reconsideration granted in part, 16 FCC Rcd 1097 (2000). See also Report and Order in MM Docket No. 83-46, 97 FCC 2d 997 (1984), reconsideration granted in part, 58 RR 2d 604 (1985), further modified on reconsideration, 61 RR 2d 739 (1986).

Where the response to Item 4 is "No," the applicant must submit an exhibit that includes an identification of the party having had the interest, the call letters and location of the station or file number of the application or docket, and a description of the nature of the interest or connection, including relevant dates. The applicant should also fully explain why the unresolved character issue is not an impediment to a grant of this application.

In responding to Item 5, the applicant should consider any relevant adverse finding that occurred within the past ten years. Where that adverse finding was fully disclosed to the Commission in an application filed on behalf of this station or in another broadcast station application and the Commission, by specific ruling or by subsequent grant of the application, found the adverse finding not to be disqualifying, it need not be reported again and the applicant may respond "Yes" to this item. However, an adverse finding that has not been reported to the Commission and considered in connection with a prior application would require a "No" response.

Where the response to Item 5 is "No," the applicant must provide in an exhibit a full disclosure of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), and the disposition of the litigation. Where the requisite information has been earlier disclosed in connection with another pending application, or as required by 47 U.S.C. Section 1.65(c), the applicant need only provide an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing. The applicant should also fully explain why the adverse finding is not an impediment to a grant of this application.

- E. **Item 6: Anti-Drug Abuse Act Certification.** This question requires the applicant to certify that neither it nor any party to the application is subject to denial of federal benefits pursuant to the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.

Section 5301 of the Anti-Drug Abuse Act of 1988 provides federal and state court judges the discretion to deny federal benefits to individuals convicted of offenses consisting of the distribution or possession of controlled substances. Federal benefits within the scope of the statute include FCC authorizations. A "Yes" response to Item 9 constitutes a

certification that neither the applicant nor any party to this application has been convicted of such an offense or, if it has, it is not ineligible to receive the authorization sought by this application because of Section 5301.

NOTE: With respect to this question, the term "party to the application" includes if the applicant is an individual, that individual; if the applicant is a corporation or unincorporated association, all officers, directors, or persons holding 5 percent or more of the outstanding stock or shares (voting and/or non-voting) of the applicant; all members if a membership association; and if the applicant is a partnership, all general partners and all limited partners, including both insulated and non-insulated limited partners, holding a 5 percent or more interest in the partnership.

INSTRUCTIONS FOR SECTION III: ENGINEERING DATA AND PREPARER'S CERTIFICATION

- A. **Notification Requirements.** All applicants must comply with the requirements of Section 73.1030. Specifically, applicants must notify United States Government radio astronomy installations, radio receiving installations, and FCC monitoring stations of the proposed facility and its possible impact on their operations. The Commission need not be informed of the date of such notification.
- B. **Tech Box:** The applicant must specify the information requested in Items 1 through 3 of the Tech Box. The data should accurately reflect the specifications set forth in the underlying construction permit.
- C. **Item 4: Main Studio Location.** The applicant must certify that its main studio location complies with the requirements of Section 73.1125. In order to answer "Yes" to this question, the applicant's proposed main studio must be **either** (1) within the principal community contour of **any AM FM or TV station** licensed to that community; **or** (2) less than 25 miles from the reference coordinates of the center of its community of license. A community's reference coordinates are generally the coordinates listed in the United States Department of the Interior publication entitled Index to the National Atlas of the United States. An alternative reference point, if none is listed in the Atlas, is the coordinates of the community's main Post Office.

In order to qualify as a "main studio," the proposed location must be equipped with type-accepted equipment and capable of originating programming at any time. Additionally, the studio must be staffed by **at least** one management-level employee **and** one staff-level employee at all times during regular business hours. See Jones, Eastern of the Outer Banks, Inc., 6 FCC Rcd 3615 (1991), clarified, 7 FCC Rcd 6800 (1992), aff'd 10 FCC Rcd 3759 (1995). Additionally, each AM, FM, and TV broadcast

station must at all times maintain a toll-free telephone line from its community of license to its main studio, wherever located.

- D. **Item 5: Constructed Facility.** The applicant must certify that the facility was constructed as authorized in the underlying construction permit. If there are any differences between the facilities constructed compared with those authorized in the construction permit, the applicant may need to seek approval for the change on FCC Form 301 or 340. See Section 73.3572.
- E. **Item 6: Special Operating Conditions:** The special operating conditions are located on the final pages of the construction permit. Attach exhibits, if required, to document compliance with the special operating conditions.
- NOTE:** Special operating conditions may prohibit automatic program test authority.
- F. **Item 7: Transmitter.** A permittee or licensee installing a main transmitter one that is not included on the FCC's "Radio Equipment List, Equipment Acceptable for Licensing," must have first obtained authority to use such a transmitter through the filing and grant of FCC Form 301 or 340.

Applications filed pursuant to Sections 73.1675(c) or 73.1690(c). Items 8-11 set forth a series of certifications concerning applications filed pursuant to Sections 73.1675(c) or 73.1690(c). All appropriate exhibits must be submitted as required. Applicants should refer to the appropriate rule sections, as referenced in the Form. See Report and Order in MM Docket No. 96-58, 12 FCC Rcd 12371 (1997).

- G. **Item 8: Changing transmitter power output.** Applicants proposing to replace an omnidirectional antenna with another omnidirectional antenna or change transmitter output power as a result of modifying the transmission line system must check "Yes" for Item 8.

NOTE: If the applicant is proposing to replace an omnidirectional antenna with another omnidirectional antenna, the new antenna must be mounted not more than two meters above nor four meters below the authorized values. See 47 C.F.R. Section 73.1690(c)(1). If the applicant is proposing to change transmitter output power by replacing its transmission line, the station's effective radiated power must not change. See 47 C.F.R. Section 73.1690(c)(10). If the proposal meets these requirements, program test operations may commence at full power pursuant to Section 73.1620(a)(1)

Item 9: Replacing a directional antenna. Item 9 is to be answered by applicants replacing a directional antenna with another directional antenna. See 47 C.F.R. Section

73.1690(c)(3).

Item 9a requires the applicant to certify and provide an exhibit demonstrating that: (1) the proposed theoretical antenna pattern will not exceed the licensed directional pattern at any azimuth and no change in effective radiated power will result; and (2) the requested modification of license complies with 47 C.F.R. Section 73.685(f).

NOTE: The new antenna must be mounted not more than two meters above nor four meters below the authorized values.

Item 10: Use a formerly licensed main facility as an auxiliary facility. Items 10a – 10b set forth a series of certifications for applicants proposing the use of a formerly licensed main facility as an auxiliary facility. All such applicants must complete both Items 10a and 10b.

Item 10a. This question requires the applicant to certify and submit an exhibit showing that the proposed auxiliary facilities will not extend beyond the Grade B coverage area of the main antenna after the change in ERP has been effectuated. See 47 C.F.R. Section 73.1675(a).

Item 10b. Environmental Protection Act. License modifications authorized by the Report and Order in MM Docket No. 96-58 will necessitate an analysis under the Commission's environmental rules for the first time, as they are authorized without the prior approval of an FCC Form 301 or Form 340.

The National Environmental Policy Act of 1969 requires all federal agencies to ensure that the human environment is given consideration in all agency decision-making. Since January 1, 1986, applications for new broadcast stations, modifications of existing stations, and license renewals must contain either an environmental assessment that will serve as the basis for further Commission review and action, or an indication that operation of the station will not have a significant environmental impact. See Section 1.1307(b). In this regard, applicants are required to look at eight environmental factors. These factors are relatively self-explanatory, except for the evaluation of whether the station adequately protects the public and workers from potentially harmful radiofrequency (RF) electromagnetic fields.

New RF Exposure Requirements. In 1996, the Commission adopted new guidelines and procedures for evaluating environmental effects of RF emissions. All applications subject to environmental processing filed on or after October 15, 1997 must demonstrate compliance with the new requirements. These new guideline incorporate two tiers of exposure limits:

General population/uncontrolled exposure limits apply

to situations in which the general public may be exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Members of the general public are always considered under this category when exposure is not employment-related.

Occupational/controlled exposure limits apply to human exposure to RF fields when persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure. These limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels may be above the general populations/uncontrolled limits as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or some other appropriate means.

The new guidelines are explained in more detail in OET Bulletin 65, entitled Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, Edition 97-01, released August, 1997, and Supplement A: Additional Information for Radio and Television Broadcast Stations (referred to here as "OET Bulletin 65" and "Supplement A," respectively). Both OET Bulletin 65 and Supplement A can be viewed and/or downloaded from the FCC Internet site at <http://www/fcc.gov/oet/rfsafety>. Copies can also be purchased from the Commission's duplicating/research contractor, International Transcription Services, Inc., 1231 20th Street, N.W., Washington, D.C. 20036 (telephone: (202) 857-3800; fax: (202) 857-3805). Additional information may be obtained from the RF Safety Group at rfsafety@fcc.gov or (202) 418-2464 or from the FCC Call Center at 1-888-CALL FCC (225-5322).

Should the applicant be unable to conclude that its proposal will have no significant impact on the quality of the human environment, it must submit an Environmental Assessment containing the following information:

1. A description of the facilities as well as supporting structures and appurtenances, and a description of the site as well as the surrounding area and uses. If high-intensity white lighting is proposed or utilized within a residential area, the EA must also address the impact of this lighting upon the residents.
2. A statement as to the zoning classification of the site, and communications with, or proceedings before and determinations (if any) by zoning, planning, environmental and other local, state, or federal authorities on matters relating to environmental effects.

3. A statement as to whether construction of the facilities has been a source of controversy on environmental grounds in the local community.
4. A discussion of environmental and other considerations that led to the selection of the particular site and, if relevant, the particular facility; the nature and extent of any unavoidable adverse environmental effects; and any alternative sites or facilities that have been or reasonably might be considered.
5. If relevant, a statement why the site cannot meet the FCC guidelines for RF exposure with respect to the public and workers.

NOTE: Even if the applicant concludes that human RF electromagnetic exposure is consistent with the Commission's guidelines, each site user must also meet requirements with respect to "on-tower" or other exposure by workers at the site (including RF exposure on one tower caused by sources on another tower or towers). These requirements include, but are not limited to, the reduction or cessation of transmitter power when persons have access to the site, tower, or antenna. Such procedures must be coordinated among all tower users. See OET Bulletin 65 for details.

Item 11: Change the license status. Applicants may change their license status from commercial to noncommercial or from noncommercial to commercial. However, if changing from commercial to noncommercial educational status, the applicant must submit as an exhibit a completed Section II of FCC Form 340, establishing its qualifications to operate the subject facility as a noncommercial educational station. See 47 C.F.R. Section 73.1690(c)(9).

H. Preparer's Certification. When someone other than the applicant has prepared the engineering section of FCC Form 302-DTV, Section III requires that person to certify, to the best of his/her knowledge and belief, the veracity of the technical data supplied. The Section III preparer's certification in FCC Form 302-DTV need not be completed if the engineering portion of the application has been prepared by the applicant. In that event, the applicant's certification in Section II of FCC Form 302-DTV will encompass both the legal and engineering sections of the application.

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PAPERWORK REDUCTION ACT

We have estimated that each response to this collection of information will take 2 hours. Our estimate includes the time to read the instructions, look through existing records, gather

and maintain the required data, and actually complete and review the form or response. If you have any comments on this burden estimate, or on how we can improve the collection and reduce the burden that it causes you, please e-mail them to pra@fcc.gov or send them to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0029), Washington, DC 20554. Please DO NOT SEND COMPLETED APPLICATIONS TO THIS ADDRESS. Remember - you are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number of if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0029.

THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, P.L. 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

FOR
FCC
USE
ONLY

FOR COMMISSION USE ONLY
FILE NO.

FCC 302-DTV

APPLICATION FOR DIGITAL TELEVISION BROADCAST STATION LICENSE

Section I - General Information

1. Legal Name of the Licensee/Permittee		
Mailing Address		
City	State or Country (if foreign address)	ZIP Code
Telephone Number (include area code)	E-Mail Address (if available)	
FCC Registration Number	Call Sign	Facility Identifier
2. Contact Representative (if other than licensee/permittee)		
Mailing Address		
City	State or Country (if foreign address)	ZIP Code
Telephone Number (include area code)	E-Mail Address (if available)	

3. If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114):

Governmental Entity
 Noncommercial Educational Licensee
 Other _____

4. Facility Information:

a. Commercial Noncommercial
 b. Main Auxiliary

c. Community of License:

City	State
------	-------

5. **Program Test Authority:**

Requesting program test authority.
 Station operating pursuant to automatic program test authority (47 C.F.R. Section 73.1620(a)(1)).

6. **Purpose of Application:**

Cover construction permit (list original construction permit file number -- starts with the prefix BPCDT, BPEDT, BMPCDT or BP MEDT): _____

Modify an authorized license (list license file number -- starts with the prefix BLC DT, BLEDT, BMLCDT or BMLED T): _____

Amend a pending application

If an amendment, submit as an Exhibit a listing by Section and Question Number the portions of the pending application that are being revised.

Exhibit No.

NOTE: In addition to the information called for in this section, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

Section II - Legal

1. **Certification.** Licensee/Permittee certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Licensee/Permittee further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application instructions and worksheets. Yes No

2. Licensee/Permittee certifies that all terms, conditions, and obligations set forth in the underlying construction permit have been fully met. Yes No

See Explanation in Exhibit No.

3. Licensee/Permittee certifies that, apart from changes already reported, no cause or circumstance has arisen since the grant of the underlying construction permit which would result in any statement or representation contained in the construction permit application to be now incorrect. Yes No

See Explanation in Exhibit No.

4. **Character Issues.** Licensee/Permittee certifies that neither licensee/permittee nor any party to the application has or has had any interest in, or connection with: Yes No

See Explanation in Exhibit No.

 - a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or
 - b. any pending broadcast application in which character issues have been raised.

5. **Adverse Findings.** Licensee/Permittee certifies that, with respect to the licensee/permittee and any party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any law related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination. Yes No

See Explanation in Exhibit No.

6. **Anti-Drug Abuse Act Certification.** Licensee/Permittee certifies that neither licensee/permittee nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862. Yes No

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing	Typed or Printed Title of Person Signing
Signature	Date

Section III - Engineering

TECHNICAL SPECIFICATIONS Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

1. Channel _____

2. Operating Constants

Transmitter power output (average power at input to transmission line, after any filter attached to the transmitter, if used)		Transmission line power loss
kW	dBk	dB
Antenna Input power	Maximum antenna power gain	Effective radiated power (average power)
dBk	dB	kW dBk

3. Antenna Data

Manufacturer	Model
--------------	-------

NOTE: In addition to the information called for in the Certification Checklist, an explanatory exhibit providing full particulars must be submitted for each question for which a "No" response is provided.

CERTIFICATION

4. **Main Studio Location.** The main studio location complies with 47 C.F.R. Section 73.1125. Yes No See Explanation in Exhibit No.

5. **Constructed Facility.** The facility was constructed as authorized in the underlying construction permit or complies with 47 C.F.R. Section 73.1690. Yes No See Explanation in Exhibit No.

6. **Special Operating Conditions.** The facility was constructed in compliance with all special operating conditions, terms, and obligations described in the construction permit. Yes No See Explanation in Exhibit No.

An exhibit may be required. Review the underlying construction permit. Exhibit No.

7. **Transmitter.** The transmitter complies with 47 C.F.R. Section 73.1660. Yes No See Explanation in Exhibit No.

PREPARER'S CERTIFICATION ON PAGE 6 MUST BE COMPLETED AND SIGNED.

APPLICATION FILED PURSUANT TO 47 C.F.R. SECTIONS 73.1675(c) or 73.1690(c).

Only applicants filing this application pursuant to 47 C.F.R. Sections 73.1675(c) or 73.1690(c) must complete the following section.

8. **Changing transmitter power output.** Is this application being filed to authorize a change in transmitter power output caused by the replacement of an omnidirectional antenna with another omnidirectional antenna or an alteration of the transmission line system? See 47 C.F.R. Sections 73.1690(c)(1) and (c)(10). Yes No

9. **Replacing a directional antenna.** Is this application being filed pursuant to 47 C.F.R. Section 73.1690(c)(3) to replace a directional antenna with another directional antenna? Yes No

If "Yes" to the above, the applicant certifies the following:

- a. **Pattern of Directional Antenna.** The proposed theoretical antenna pattern complies with 47 C.F.R. Section 73.1690(c)(3). **Exhibit is required.** Yes No

See Explanation
in Exhibit No.

Exhibit No.

10. Use a **formerly licensed main facility as an auxiliary facility.** Is this application being filed pursuant to 47 C.F.R. Section 73.1675(c)(1) to request authorization to use a formerly licensed main facility as an auxiliary facility and/or change the ERP of the proposed auxiliary facility? Yes No

If "Yes" to the above, the applicant certifies the following:

- a. **Auxiliary antenna service area.** The proposed auxiliary facility complies with 47 C.F.R. Section 73.1675(a). **Exhibit is required.** Yes No

See Explanation
in Exhibit No.

- b. **Environmental Protection Act.** The proposed facility is excluded from environmental processing under 47 C.F.R. Section 1.1306 (i.e., the facility will not have a significant environmental impact and complies with the maximum permissible radio frequency electromagnetic exposure limits for controlled and uncontrolled environments). Yes No

See Explanation
in Exhibit No.

By checking "Yes" above, the applicant also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radio frequency electromagnetic exposure in excess of FCC guidelines.

11. **Change the license status.** Is this application being filed pursuant to 47 C.F.R. Section 73.1690(c)(9) to change the license status from commercial to noncommercial or from noncommercial to commercial? Yes No

Exhibit No.

If "Yes" to the above, submit an exhibit providing full particulars. For applications changing license status from commercial to noncommercial, include Section II of FCC Form 340 as an exhibit to this application.

PREPARER'S CERTIFICATION ON PAGE 6 MUST BE COMPLETED AND SIGNED.

SECTION III PREPARER'S CERTIFICATION

I certify that I have prepared Section III (Engineering Data) on behalf of the applicant, and that after such preparation, I have examined and found it to be accurate and true to the best of my knowledge and belief.

Name		Relationship to Applicant (e.g., Consulting Engineer)	
Signature		Date	
Mailing Address			
City		State or Country (if foreign address)	ZIP Code
Telephone Number (include area code)		E-Mail Address (if available)	

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).