October 2025

Antenna™

An update on broadcasting law & issues from Donald E. Martin

Multiple Ownership Rules up for Review

With a *Notice of Proposed Rulemaking* ("NPRM") (FCC 25-64) in Docket 22-459, the FCC has taken the next step in the 2022 Quadrennial Regulatory Review of its broadcast multiple ownership rules. Section 202(h) of the Telecommunications Act of 1996 requires the Commission to review its broadcast ownership rules every four years to determine whether they remain "necessary in the public interest as the result of competition" and to "repeal or modify any regulation [that it] determines to be no longer in the public interest." The regulations under review are the Local Radio Ownership Rule, the Local Television Ownership Rule, and the Dual Network Rule. The Commission launched this proceeding in December 2022 with a Public Notice inviting comment on the state of media ownership at that time. The Commission says that the comments it received in response to that Public Notice helped to inform its discussion of the topic presented now. This review is conducted within the context of the

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Streamlining Proposed for Environmental Rules

The FCC has adopted a *Notice of Proposed Rulemaking* (FCC 25-47) in Docket 25-217 to propose changes in its rules pertaining to environmental issues involved in the construction, development, and operation of communications facilities. The Commission undertakes this action in the wake of recent amendments to the National Environmental Protection Act ("NEPA") enacted in the 2023 Fiscal Responsibility Act. Another motivating factor is President Trump's Executive Order No. 14154, issued in January, which instructed all federal agencies to prioritize efficiency and certainty over any other objectives in revising regulations to implement NEPA. In the light of "changes in the legal landscape" and consistent with the objectives of that Executive Order, the Commission solicits comment on how its rules could be revised to, in its words, streamline the environmental review process, promote efficiency, and encourage the deployment of infrastructure that results in more competition and technological innovation.

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LPTV Filing Freeze To Be Lifted

The FCC's Media Bureau has released a Public Notice (DA 25-792) to announce a schedule for resuming the acceptance and processing of applications to modify Class A TV, LPTV, TV translator stations, and applications for new LPTV and TV translator stations. The schedule includes temporary freezes for the purpose of stabilizing the database to mitigate confusion in connection with subsequent filing windows, including a freeze on major change applications which is currently in effect. The schedule announced for going forward is set forth below. As of this writing, the FCC is closed with the federal government shutdown. This schedule is subject to revision depending upon when the FCC might resume normal operations.

October 15, 2025, 6:00 p.m. ET
Temporary application filing freeze begins for all minor change applications (including displacement applications) for Class A, LPTV, and TV translator stations.

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Court Restrains Police from Harassing Journalists

The U.S. District Court in Los Angeles has issued a temporary restraining order to enjoin officers of the Los Angeles Police Department ("LAPD") from harassing members of the press while covering recent ICE raids and police activity related to the accompanying demonstrations in Los Angeles. Plaintiffs who requested the order include the Los Angeles Press Club (a nonprofit professional support group for journalists with approximately 1,000 members in Southern California) and Status Coup (self-identified as a "progressive independent investigative reporting network and media outlet" with over 3,000 members).

The plaintiffs initiated this litigation requesting an injunction in reaction to multiple incidents in which journalists were blocked from access to or removed from public areas where they could view police activity or in which they were physically assaulted and/or injured. The plaintiffs presented evidence of 35 instances in which LAPD officers excluded members of the media from public areas, using projectiles (including less-lethal munitions ("LLMs"), a/k/a rubber bullets), tear gas, or other forms of force against them. The record included accounts of at least two serious injuries to journalists inflicted by LAPD actions, including a broken rib, and injury to an eye, possibly resulting in permanent loss of vision. At least one journalist, clearly identified as such, was arrested and held in jail for four days. Plaintiffs requested an emergency order directing the LAPD to desist from "dispersing, citing, arresting, or assaulting journalists at any demonstration, march, protest, or assembly, or from using LLMs or other force against journalists who pose no imminent threat of serious harm, and to clarify the means by which LAPD identifies journalists.

In response to similar previous incidents, in 2022, the California legislature enacted protections for media covering protests. The state statute affirms the right of members of the press to remain in closed areas. Another statute prohibits law enforcement from using LLMs and tear gas against journalists except in circumstances where it is "objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, . . ."

The court noted that a party seeking a temporary restraining order must make a clear showing (1) of a likelihood of success on the merits; (2) of the likelihood of suffering irreparable harm in the absence of preliminary relief; (3) that the balance of hardship tips in its favor; and (4) that such an order would be in the public interest. Where the government is the defendant, points three and four merge.

The court found that the plaintiffs were likely to succeed on the merits of their First Amendment claims, quoting the Supreme Court's finding that "newsgathering is an activity protected by the First Amendment." The Ninth Circuit Court of Appeals has also ruled that "The First Amendment protects . . . the right to record law enforcement officers engaged in the exercise of their official duties in public places." The incidents of record in this case occurred on the city's public streets and sidewalks – the "archetypical traditional public forum."

On the criterion about irreparable harm, the court again quotes the Supreme Court: "The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury."

The court also determined that where, as in this case, plaintiffs raise serious First Amendment questions, the balance of hardships tips sharply in their favor. It is always in the public interest to prevent the violation of a party's constitutional rights. In contrast, the requested injunctive relief poses little additional burden on the LAPD because it is already required to allow journalists access to closed areas and to limit the use of LLMs and chemical agents.

The court granted the plaintiffs' request and issued a temporary restraining order with specific instructions.

1. As used in this order, the term "journalist" includes any duly authorized representative of any news service, online news service, newspaper, or radio or television network.
2. If the LAPD or another law enforcement agency establishes a police line or rolling closure at a demonstration, march, protest, or rally where individuals are engaged in activity that is protected by the First Amendment, LAPD is enjoined from:
    a. Prohibiting a journalist from entering or remaining in the closed area.
    b. Intentionally assaulting, interfering with, or obstructing any journalist who is gathering, receiving, or processing information for communication to the public.
    c. Citing, detaining, or arresting a journalist who is in a closed area for failure to disperse, curfew violation, or obstruction of a law enforcement officer for gathering, receiving, or processing information. If LAPD detains or arrests a person who claims to be a journalist, that person shall be permitted to promptly contact a supervisory officer of the rank of captain or above for the purposes of challenging that detention, unless circumstances make it impossible to do so.
3. LAPD is enjoined from using LLMs and other crowd control weapons against journalists who are not posing a threat of imminent harm to an officer or another person.
4. Within the next 72 hours, LAPD management is required to summarize this Order and disseminate its contents to all LAPD officers responding to a protest in Los Angeles.

The ruling is entitled *Los Angeles Press Club et al v. City of Los Angeles et al.* 2025 U.S. Dist. LEXIS 134820.

ATSC 3.0 Application Procedures Reiterated

The FCC's Media Bureau has released a Public Notice (DA 25-789) to clarify and reiterate its procedures for the processing of applications for television stations to transition to the ATSC 3.0 transmission mode.

The Commission's rules require stations that transition to ATSC 3.0 to simulcast the station's primary program stream on a partnering ATSC 1.0 station. To qualify for expedited processing of the transition applications, the rules require that the ATSC 1.0 host station must provide service to at least 95 percent of the predicted population within the noise limited service contour of the transitioning station's original ATSC 1.0 facility. The Bureau clarifies that it will accept data produced by a Longley-Rice terrain analysis for purposes of calculating compliance with this requirement to qualify for expedited processing.

The Bureau also stated its commitment to process "non-expedited" applications on a case-by-case consideration of their individual merits. There are certain factors that may help persuade the Bureau to treat such applications favorably, especially those that may mitigate the impact of the transition on viewers. For instance, in evaluating the population that is predicted to lose service due to lack of coverage from a transitioning station's ATSC 1.0 host station, the Bureau has offset a portion of the total viewer loss to credit populations that would continue to be served by another station with the same network affiliation as the transitioning station. The Bureau says that it is able and willing to consider other factors that could demonstrate that a specific transition has minimal negative impact on viewers and is in the public interest.

The Bureau reiterated that existing rules and precedent include additional elements that can provide flexibility to support a transitioning station. These include:

- ATSC 3.0 stations are only required to simulcast their primary stream in an ATSC 1.0 format. Multicast streams need not be simulcast.
- The requirement that the ATSC 1.0 and 3.0 streams be "substantially similar" applies only to a station's primary stream, and not to multicast streams, advertisements, promotions for upcoming programs, or material based on the enhanced capabilities of ATSC 3.0.
- The 95 percent predicted population threshold for expedited treatment does not apply to a station's multicast streams, except where the multicast stream is being used to satisfy the station's obligations for children's television programming.
- Stations may use more than one ATSC 1.0 host station to simulcast their primary program stream to reach the 95 percent threshold for expedited processing.
- LPTV stations and TV translator stations do not have any simulcast requirements, but they may provide simulcasts in ATSC 1.0 on a voluntary basis.
- LPTV and TV translator stations are permitted to host ATSC 1.0 and ATSC 3.0 signals for full-power and Class A stations.

Multiple Ownership Rules up for Review *continued from page 1*

Commission's three traditional policy goals of competition, localism, and viewpoint diversity.

The proceeding for the 2018 Quadrennial Review concluded with a *Report and Order* (FCC 23-117) in December 2023 which was the subject of appellate litigation that continued until July of this year. In that proceeding, the Commission determined that the phrase "necessary in the public interest" in Section 202(h) establishes a "plain public interest standard under which "necessary" means "convenient," "useful," or "helpful," and not "essential," or "indispensable." Further, the Commission found that Section 202(h) creates no "presumption in favor of repealing or modifying the ownership rules," and that the agency has discretion to make the rules "more or less stringent."

Presently, the Local Radio Ownership Rule employs a sliding scale to correlate the degree of permitted ownership concentration to the size of the market. The Commission uses the Nielsen Audio Metro markets for these calculations. In markets with 45 or more stations, no more than eight stations may be under common control, with no more than five in the same service (AM or FM). Seven stations is the maximum allowed in markets with 30 to 44 stations, with no more than four of them in the same service. In markets with 15 to 29 stations, the cap is six stations with no more than four in the same service. In a market of 14 or fewer stations, the limit under common control is five stations with no more than three in the same service, provided no more than 50 percent of the stations in the market are under common control. In small markets not rated by Nielsen, a contour overlap methodology is used to determine the number of stations in the market.

The Commission first considers the makeup of the total audio marketplace, which includes broadcasting, satellite radio, audio streaming services, webcasting, and podcasting. The agency has previously decided that local broadcast radio is its own discrete product market and that other sources of audio content do not provide precise substitutes for it. However, now the Commission seeks comment on whether that product market definition should be revised. The agency asks whether these non-broadcast audio services compete directly with broadcast radio. Does radio's free, over-the-air availability or local nature make it unique or difficult to

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DEADLINES TO WATCH

NOTICE REGARDING FEDERAL GOVERNMENT SHUTDOWN

Due to the lapse of federal government funding, as of this writing, the FCC has been closed for most normal business since October 1. In a Public Notice (DA 25-922), the Commission extended the deadlines for all filings and submissions that fall due while the agency is closed until the first business day after the day on which normal operations resume. The deadlines stated below are the normally calculated dates without regard to the shutdown. If such deadlines fall during the shutdown, they are automatically extended. The deadlines for pleadings responsive to pleadings affected by the shutdown will be addressed by the Commission upon reopening. Among other FCC systems, the following are inaccessible to the public during the shutdown: the Licensing and Management System, the EAS Test Reporting System, and the online Public Inspection Files. The Electronic Comment Filing System is accessible to the public and comments can be submitted, although there will be no user support. Comments filed during the shutdown will be considered accepted on the day after the FCC resumes normal operations.

License Renewal, FCC Reports & Public Inspection Files

October 1 — Deadline to place EEO Public File Report in Public Inspection File and on station's internet website for all nonexempt radio and television stations in **Alaska, American Samoa, Florida, Guam, Hawaii, Iowa, the Mariana Islands, Missouri, Puerto Rico, Oregon, the Virgin Islands,** and **Washington.**

October 1 — Deadline for all broadcast licensees and permittees of stations in **Alaska, American Samoa, Florida, Guam, Hawaii, Iowa, the Mariana Islands, Missouri, Puerto Rico, Oregon, the Virgin Islands,** and **Washington** to file annual report on all adverse findings and final actions taken by any court or governmental administrative agency involving misconduct of the licensee, permittee, or any person or entity having an attributable interest in the station(s).

October 1 — Mid-Term EEO review begins for certain radio stations in **Alaska, American Samoa, Guam, Hawaii, the Mariana Islands, Oregon,** and **Washington**, and certain television stations in **Iowa** and **Missouri**.

October 10 — Deadline to place quarterly Issues/Programs List in Public Inspection File for all full service radio and televisions stations and Class A TV stations.

October 10 — Deadline for all noncommercial stations to place reports about third-party fundraising in Public Inspection File.

October 10 — Deadline for all Class A TV stations to place quarterly statement of Class A qualifications in Public Inspection File.

December 1 — Deadline to place EEO Public File Report in Public Inspection File and on station's internet website for all nonexempt radio and television stations in **Alabama, Colorado, Connecticut, Georgia, Maine, Massachusetts, Minnesota, Montana, New Hampshire, North Dakota, Rhode Island, South Dakota,** and **Vermont**.

December 1 — Deadline for all broadcast licensees and permittees of stations in **Alabama, Colorado, Connecticut, Georgia, Maine, Massachusetts, Minnesota, Montana, New Hampshire, North Dakota, Rhode Island, South Dakota,** and **Vermont** to file annual report on all adverse findings and final actions taken by any court or governmental administrative agency involving misconduct of the licensee, permittee, or any person or entity having an attributable interest in the station(s).

December 1 — Mid-Term EEO review begins for certain radio stations in **Connecticut, Massachusetts, New Hampshire, Rhode Island** and **Vermont,** and certain television stations in **Colorado, Minnesota, Montana, North Dakota,** and **South Dakota**.

Paperwork Reduction Act Proceedings

The FCC is required by the Paperwork Reduction Act to periodically collect public information on the paperwork burdens imposed by its record-keeping requirements in connection with certain rules, policies, applications, and forms. Public comment has been invited about this aspect of the following matters by the filing deadlines indicated.

TOPIC	COMMENT DEADLINE
Digital TV transmission and PSIP protocol, Section 73.682(d)	Oct. 14
Auction and licensing disclosures, Sections 1.2110, 1.2111, 1.2112	Nov. 10
Television broadcast license application, Form 2100, Schedule B	Nov. 21

DEADLINES TO WATCH

Deadlines for Comments in FCC and Other Proceedings

DOCKET	COMMENTS	REPLY COMMENTS
(All proceedings are before the FCC unless otherwise noted.)		
Docket 21-346, etc; 3rd NPRM (FCC 25-45) Disaster information reporting service	Oct. 2	Nov. 3
Docket 25-217; NPRM (FCC 25-47) Modernizing NEPA rules		Oct. 3
Docket 25-224; NPRM (FCC 25-50) Modernizing EAS		Oct. 10
Public Notice (DA 25-876) Applications for assignment to Gray Television Licensee, LLC of stations from subsidiaries of Sagamore Hill Broadcasting, II, LLC; Block Communications, Inc.; and Allen Media, LLC.	Oct 22 (Petition to Deny)	Nov. 6 (Opposition)
Docket 22-459; NPRM (FCC 25-64) 2022 Quadrennial Regulatory Review	FR+30	FR+60

FR+N means the filing deadline is N days after publication of notice of the proceeding in the Federal Register.

Proposed Amendments to the Television Table of Allotments

The FCC is considering a request to amend the television Table of Allotments by changing the channels allotted as identified below. The deadlines for submitting comments and reply comments are shown.

COMMUNITY	STATION	PRESENT CHANNEL	PROPOSED CHANNEL	COMMENTS	REPLY COMMENTS
Hutchinson, KS	KPTS	*8	*33	Oct. 22	Nov. 6
Fort Bragg, CA	KQSL	8	---		Oct. 6
Cloverdale, CA	KQSL	---	8		Oct. 6
West Point, MS	WLOV-TV	16	26		Oct. 6

FR+N means the filing deadline is N days after publication of notice of the proceeding in the Federal Register.

Proposed Amendments to the FM Table of Allotments

The FCC is considering amendments to FM Table of Allotments by adding or changing the channels in the communities identified below. The deadlines for submitting comments and reply comments are shown. Counterproposals must be submitted by deadline for comments.

COMMUNITY	PRESENT CHANNEL	PROPOSED CHANNEL	COMMENTS	REPLY COMMENTS
Enterprise, UT	---	226C3	Oct. 6	Oct. 21
Hamilton, AL	221A	277A	Nov. 21	Dec. 8
Coalinga, CA	261B	261B1	Nov. 21	Dec. 8
Rocksprings, TX	291A	289A	Nov. 21	Dec. 8
Silverton, TX	221A	261A	Nov. 21	Dec. 8
Spur, TX	---	281C2	Nov. 21	Dec. 8

DEADLINE TO FILE ETRS FORM ONE

OCTOBER 3, 2025

DEADLINE TO FILE SEMI-ANNUAL DISCLOSURE REPORT FOR FOREIGN BASED MEDIA OUTLETS

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Multiple Ownership Rules up for Review *continued from page 3*

replace with respect to fulfilling the Commission's public interest objectives of competition, localism, and viewpoint diversity? If the product market definition were to be revised, the Commission invites suggestions about what nonbroadcast sources should be included, and how they should be counted or otherwise factored into the process of setting or administering limits.

Within radio broadcasting, the Commission must decide whether to maintain ownership limits. If the restrictions are to be retained, the Commission asks whether the existing set of market tiers and station limits within each tier are appropriate, or whether they are producing any unintended consequences. Should different market sizes and/or station limits be considered? The Commission asks whether a completely different metric, such as population for example, should be used to define market size.

The Local Television Ownership Rule provides that an entity may own up to two full service television stations in the same Nielsen Designated Market Area ("DMA") as long as the two stations do not have overlapping digital noise limited service contours or that not more than one of them (at the time of acquisition) is among the top four ranked stations in the DMA, known as the Top-Four Prohibition.

The Top-Four Prohibition was struck down by the Eighth Circuit U.S. Court of Appeals in *Zimmer v. Federal Communications Commission* in July. However, the court stayed its ruling for 90 days to allow the FCC an opportunity to address the decision. The 90-day period has not yet expired and consequently, the court's ruling is not yet in effect. In that decision, the court also stated its view that Section 202(h) does not give the Commission the discretion to tighten ownership restrictions – only to relax them.

The FCC begins its consideration of the television market with the same question it posed for radio. How do broadcast and nonbroadcast media interact in defining the video marketplace? Broadcasters reported in their comments that broadcast television is under strong competitive pressure from nonbroadcast video platforms for audience and advertising. The Commission seeks comment on whether or how it can account for nonbroadcast video programming in the market definition analysis. The Commission asks for data about the extent to which nonbroadcast video entities provide local news or other local content. If there are providers of nonbroadcast local content, how accessible is that programming? Are such offerings comparable in scale and reach to those of traditional media? Do online video channels provide a reasonable substitute to free over-the-air television for purposes of the public interest analysis?

The Commission is also considering the status and impact of multiple stations in a market operating under common control. The agency asks whether and how viewers continue to be served by television stations at the local level. Is there a correlation between consolidation and investment by broadcasters back into their local stations? Do large television ownership groups invest in locally focused programming?

The Commission acknowledges that the television broadcast industry faces challenges but also reiterates that broadcast licensees have a duty to serve the public interest. It asks whether alleviating pressures facing broadcasters through deregulatory measures would promote the public interest. In what ways, if any, does robust cross-platform competition mitigate or alleviate the harms that could flow from too much concentration of station ownership? The Commission seeks comment on whether past consolidation has produced verifiable public interest benefits.

The Dual Network Rule essentially prohibits common ownership of any of the Big Four television networks – ABC, CBS, Fox, and NBC. The Commission concluded in the 2018 Quadrennial Review that the Dual Network Rule remained necessary in the public interest because it advances the core policy objectives of competition and localism. Competition among the Big Four networks for audience share and advertising revenues advanced the public interest by incentivizing each of those networks to create and distribute appealing, innovative programming to consumers. The Commission determined that a merger of two or more of the Big Four networks would reduce competition and enable the networks to create barriers to market entry. These conclusions resulted from a review of data that showed that the Big Four networks are in a class of their own compared to other broadcast and cable networks.

Notwithstanding those findings, the Commission now invites comment on whether the Big Four networks remain a unique and discrete group within the larger video marketplace as measured by their net advertising revenues and audience share. Does the data support a finding that the Big Four networks remain more attractive to advertisers seeking consistent national audiences, than other programming networks and thus continue to be a "strategic group" in the national advertising market?

The Commission asks what would be lost and how would viewers be harmed if there were fewer than four independently-owned national networks. Comments are also requested on the benefits of localism encouraged by the network-affiliate model that fosters a balance between the competing interests of local stations and national networks.

Commenters who assert that marketplace developments justify revising the Dual Network Rule are asked to explain how antitrust or other statutes, rules, or policies would serve as an adequate buffer to prevent a single owner of two or more of the Big Four networks from engaging in conduct detrimental to the public interest.

Comments will be due 30 days after publication of notice of this proceeding in the Federal Register. The deadline for reply comments will be 60 days after that publication.

Streamlining Proposed for Environmental Rules *continued from page 3*

Originally enacted in 1970, NEPA created the Council on Environmental Quality ("CEQ"). The statute requires federal agencies to determine whether any proposed Major Federal Actions ("MFAs") will significantly affect the quality of the human environment and, if so, to assess the environmental impact. Pursuant to Executive Order No. 11991 (adopted in the Carter Administration), the CEQ was directed to assist agencies across the federal government in implementing their NEPA procedures. The CEQ adopted a definition for MFAs which was widely adopted or borrowed as the standard by federal agencies, including the FCC.

As noted above, NEPA was amended in 2023. Among other things, the changes in the statute redefined an MFA as an action "subject to substantial federal control and responsibility" as determined by the agency conducting or overseeing the undertaking. President Trump's Executive Order rescinded Executive Order 11991 and directed the CEQ to rescind its existing NEPA regulations.

Like many other agencies, the FCC must now develop its own definition of MFA. The agency proposes to define an MFA as an undertaking in which Commission funding, i.e. the Commission's resources, is expressly directed toward the construction of a communication facility.

After deciding whether its proposed actions are MFAs and subject to NEPA, an agency will determine the appropriate level of review. Agencies have generally developed lists of categorical exclusions ("CEs") as an initial step in determining the appropriate level of review. CEs are conditions that normally do not have significant effects on the human environment. An MFA that cannot be exempted by a CE typically requires the preparation of an environmental assessment ("EA") by the applicant or proponent of the project. If after review of the EA, the agency determines that further investigation is warranted, the agency will develop an environmental impact statement ("EIS") to determine if and how the proposed project can go forward without detriment to the environment.

Until now, construction of a tower to support the antenna of the facility for a site-based license, such as a broadcast station, has been characterized as an MFA. The proponent of a new tower therefore must determine whether the construction would be categorically excluded from further review, or if not, undertake an environmental assessment ("EA") and submit the results to the Commission for its review. The FCC's responsibility to vet and approve the broadcast license has been deemed to be adequate expenditure of federal resources to qualify the undertaking as an MFA.

However, the Commission now requests comment as to whether issuance of a site-based license should qualify as an MFA. If issuing such a license were not an MFA, the project would generally be exempt from environmental review. Comment is solicited on how the statutory definition of an MFA applies to this type of licensing. Does this type of licensing involve substantial federal control or responsibility because the Commission has broad discretion to authorize the construction of specific facilities at a specific location in connection with such a license? Or, are additional indicia of federal control and responsibility needed to determine that site-based licensing is an MFA? The FCC's current rules consider tower registration, aside from tower construction, also to be an MFA. The agency seeks comment on the same issues about tower registration.

In most circumstances, an applicant can find that its proposal qualifies for a CE under the Commission's rules and that no further environmental review is necessary. However, if the proposal involves any of a number of "extraordinary circumstances," an EA is required. The list of extraordinary circumstances is found in Section 1.1307 of the Commission's rules. These include:

(1) Facilities to be located in an officially designated wilderness area.

(2) Facilities to be located in an officially designated wildlife preserve.

(3) Facilities that may affect threatened or endangered species or their habitats.

(4) Facilities that may affect structures or sites that are listed or eligible for listing in the National Register of Historic Places.

(5) Facilities that might affect Indian religious sites.

(6) Facilities to be located in flood plains.

(7) Facilities whose construction would involve significant changes in surface features.

(8) Facilities with high intensity white lights to be located in residential neighborhoods.

The amended NEPA statute states that an EA is required when a proposal "does not have a reasonably foreseeable significant effect on the quality of the human environment, or if the significance of such effect is unknown." The Commission seeks comment on whether this new language in the statute suggests that the current list of extraordinary circumstances should be revised or whether changes may be necessary in the rules describing when an EA is required.

Another significant change proposed by the Commission concerns the preparation of the EIS. Under current practice, if the agency's review of the EA leads to the conclusion that an EIS is needed, the agency drafts the statement. The FCC now proposes to give the applicant/proponent the responsibility for producing the EIS.

The FCC invites comments on these and other issues concerning its environmental regulations. The deadline for comments is passed. The regular filing deadline for reply comments was October 3. However, the Commission was closed that day due to the government shutdown and continues to be closed as of this writing. The reply comment deadline is postponed until the first business day after the day on which the Commission resumes normal operations.

LPTV Filing Freeze To Be Lifted *continued from page 1*

October 22, 2025, 12:01 a.m. ET
Class A, LPTV, and TV translator stations may file major change, minor change, and displacement applications, with relocations limited to no more than 121 kilometers (slightly more than 75 miles).

December 3, 2025, 6:00 p.m. ET
Temporary application filing freeze begins for all major change applications for Class A, LPTV, and TV translator stations.

January 14, 2026, 6:00 p.m. ET
Temporary application filing freeze begins for all minor change applications (including displacement applications) for Class A, LPTV, and TV translator stations.

January 21, 2026, 12:01 a.m. ET
Resumption, without restriction, of filing of major change, minor change, and displacement applications for Class A, LPTV, and TV translator stations and applications for new LPTV and TV translators stations.

LPTV and TV translator major change applications will incur a filing fee of $910. There will be a $5,000 filing fee for Class A TV major change applications.

Applications will be cut-off every day on a first-come, first-served basis. If multiple mutually exclusive applications are filed on the same day, the FCC will set a period of time for the applicants to reach a voluntary settlement agreement. Conflicts that remain after the settlement period will be resolved by competitive bidding in an auction.
