



PUBLIC NOTICE

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EFFECTIVE DATE ANNOUNCED FOR EXPANDED ONLINE PUBLIC INSPECTION FILE DATABASE

Database Will Be Available For Testing Starting Today

Webinar To Be Announced In a Later Notice

New Database Will Replace Existing Broadcast Television Database

New Database Includes Many Technical Improvements

Broadcast Television and Radio Stations Reminded of JSA Public File Requirement

MB Docket No. 14-127

The first group of entities being added to the Commission's expanded online public inspection file database must commence using the database on **June 24, 2016**. On January 28, 2016, the Commission adopted a Report and Order in MB Docket No. 14-127 expanding to cable operators, DBS providers, and broadcast radio and satellite radio licensees the requirement that public inspection files be posted to the FCC's online database.¹ The database was initially established in 2012 for use by television broadcasters.² On **May 25**, the Commission will announce in the Federal Register that the Office of Management and Budget has approved the Commission's Paperwork Reduction Act submission associated with the *Expanded Online Public File Order*. The effective date of the new requirement will be 30 days from publication of that notice in the Federal Register, or **June 24, 2016**.

On **June 24, 2016**, cable systems with 1,000 or more subscribers, DBS providers, SDARS licensees, and commercial radio stations in the top 50 Nielsen Audio radio markets with five or more full-time employees must place their new public inspection file documents in the Commission-hosted online public file database.³ In addition, these entities must place their existing public file documents into the online public file within six months after the effective

¹ *Expansion of Online Public File Obligations to Cable and Satellite TV Operators and Broadcast and Satellite Radio Licensees*, Report and Order, 31 FCC Rcd 526 (2016) ("Expanded Online Public File Order").

² *Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations*, Second Report and Order, 27 FCC Rcd 4535 (2012) ("Second Report and Order").

³ See *Expanded Online Public File Order*, 31 FCC Rcd at 542-43, para. 41.

date, or by **December 24, 2016**.⁴ Entities will not be required to place in the online public file existing political file material.⁵

Cable systems with 1,000 or more subscribers but fewer than 5,000 subscribers will not be required to place new political file material in the Commission's online file until March 1, 2018.⁶ Cable systems with fewer than 1,000 subscribers are exempt from all online filing requirements.⁷ In addition, until March 1, 2018, all NCE radio broadcast stations, commercial radio broadcast stations in the top 50 Nielsen Audio markets with fewer than five full-time employees, and all commercial radio broadcast stations in markets below the top 50 or outside all markets are exempt from all requirements to place public file materials in the online public file. As of March 1, 2018, these radio entities must have placed all existing public file material in the online public file, with the exception of existing political file material, and must begin placing all new public and political file material in the online file on a going-forward basis. Commercial broadcast licensees must continue to retain letters and emails from the public in the local public file and will not be permitted to upload those materials to the online public file.⁸

Commencing on the **June 24, 2016** effective date, television broadcasters, which have been subject to online file requirements since 2012, will also be required to use the new expanded online public inspection file ("OPIF") rather than the existing online broadcast public inspection file ("BPIF"). The FCC will move all documents in BPIF to the OPIF database by midnight on **June 24, 2016**. BPIF will no longer be available starting **June 24, 2016**. While OPIF and BPIF are virtually identical with respect to the way television broadcasters access the databases and upload information, there are some differences in the look and feel of the OPIF database. OPIF also includes a number of technical improvements that should facilitate the uploading of documents and management of the online public file, most significantly the implementation of an application programming interface ("API") that can be used to connect OPIF to third-party web hosting services. The Commission has also made other technical improvements to the online file database. First, it has finished the transition to cloud-based computing solutions for purposes of managing the database. Second, it has added to the expanded online file database the ability to place a document in multiple files through APIs. Third, when entities move a document from one folder to another in the online file, the database will now display both the date the document was first uploaded as well as the date it was moved to a different online file location. Fourth, the database now will permit entities easily to delete files and empty folders when documents in the file are past their retention period or the entity wishes to delete them for another reason.⁹ Finally, the Commission has included in OPIF the ability to update closed captioning contact information and has added improved .pdf conversion software that will speed uploads.

⁴ *Id.* at 543, para. 43.

⁵ *Id.*

⁶ *Id.* at 543, para 42.

⁷ *Id.* at 543, para. 42 and at 546, para. 50.

⁸ The Commission indicated in the *Expanded Online Public File Order* that it would initiate a proceeding to consider whether to eliminate the correspondence file requirement for commercial broadcasters. *Id.* at 542, para. 38, n. 105 and at 564, para. 95, n. 269.

⁹ *Id.* at 535, para. 20.

The FCC will conduct a live Webinar to demonstrate the new OPIF database prior to the OPIF effective date. The Webinar will inform broadcasters and others of the design and content of the expanded online file, how entities will upload information to the file, and how file sharing tools like Dropbox and Box can be used for uploading. The FCC will also demonstrate the OPIF API during the Webinar. Persons interested in participating in the Webinar may do so either in person or online. The Media Bureau will issue a Public Notice with further details regarding the live Webinar, including the date and time, in the near future.

In addition to the live Webinar, the FCC will also make available on its website a video demonstration of the OPIF database. Interested parties may view the video at any time.

OPIF will be available in a demonstration environment for users to test the database starting today, **May 12, 2016**. Entities can access the demo environment at <https://publicfiles-demo.fcc.gov/admin/> and can practice uploading documents to OPIF and familiarize themselves with the other features of the database. The API can be accessed in the demo environment at <https://publicfiles-demo.fcc.gov/developer/>. Access tokens for the API can be generated on the settings page available to entities using the demo environment. This demo environment is for practice purposes only and will be deleted once the actual OPIF database goes live on **June 24, 2016**. **All documents uploaded to the demo environment will be deleted and will not be uploaded by the FCC to OPIF, so entities should use the demo environment only to familiarize themselves with OPIF and not to commence uploading existing public file documents.** Members of the public can view the demo environment at <https://publicfiles-demo.fcc.gov/>.

The FCC's helpdesk is available to answer any questions regarding the OPIF database. Contact information for the helpdesk is available at 1-877-480-3201 or 1-717-338-2824 (TTY) or you may submit requests online via <https://esupport.fcc.gov/request.htm>.

We also remind all commercial broadcast television and radio stations of their continuing obligation to place copies of all current joint sales agreements (JSAs) — attributable and non-attributable — into their local public inspection file, pursuant to 47 C.F.R. § 73.3256(e)(16). This public inspection file obligation applies to **both** the brokering station and the brokered station(s).¹⁰ In addition, we remind station licensees that any failure to place required documents in a station's public inspection file at the appropriate times must be disclosed to the Commission in the station's license renewal application and could be subject to enforcement action.

For additional information regarding the expanded online public file, contact Holly Saurer, holly.saurer@fcc.gov, (202) 418-7283, of the Media Bureau, or Kim Matthews, kim.matthews@fcc.gov, (202) 418-2154, of the Media Bureau, Policy Division, or Marcy Shirloff, marcy.shirloff@fcc.gov, (202) 418-2121, of the Office of the Managing Director. For press inquiries, contact Janice Wise, janice.wise@fcc.gov, (202) 418-8165.

¹⁰ A recent report by the Government Accountability Office (GAO) identified an aggregate number of cases in which only one of the parties to a television joint sales agreement (JSA) — and not both — placed that agreement in the appropriate station's public inspection file, as required by section 73.3526(e)(16) of the Commission's rules. *See* GAO, Local Media Advertising – FCC Should Take Action to Ensure Television Stations Publicly File Advertising Agreements, GAO-16-349, at 17-20 (Mar. 2016).