



FCC First-Come First-Served Digital Low Power Television Licensing Opportunity

Ever want to start your own television station? Get ready because the FCC is offering a filing opportunity on a first-come first-served basis. This opens the door for community-oriented media and educational entities to own part of the DTV spectrum (although commercial entities can apply too). We truly hope that some independent media organizations consider taking advantage of this opportunity. The FCC describes LPTV as the following:

The Federal Communications Commission (FCC) created the Low Power Television (LPTV) service in 1982 to provide opportunities for locally-oriented television service in small communities. These communities may be in rural areas or may be individual communities within larger urban areas. LPTV service presents a less expensive and more flexible means of delivering programming tailored to the interests of viewers in small localized areas than traditional full service/power TV stations. It has created opportunities for new entry into television broadcasting, provided a means of local self-expression, and permitted fuller use of the broadcast spectrum. LPTV stations are operated by diverse groups and organizations - high schools and colleges, churches and religious groups, local governments, large and small businesses and individual citizens. LPTV modes of operation and programming vary widely. These include satellite-delivered programming services, syndicated programs, movies and a wide range of locally-produced programs. LPTV stations sometimes tailor program segments or entire schedules to specific viewer groups (on the basis of age, language or particular interest).

While LPTV is insinuated as low power, its licensees may chose to broadcast up to 15,000 watts with no antenna height ceiling; this is more than ample to serve a city. You may only need as low as 100 watts to serve your community. The FCC is opening two commencement dates for filing for vacant television channels:

Starting August 25, 2009: For “rural” communities—meaning greater than 75 miles outside of the top 100 metro areas ranked by population.

Starting January 24, 2010: Anywhere in USA—no rural restriction.

There is an associated FCC filing fee of \$705 with the application (qualified noncommercial entities and government entities are exempt). Starting a television station from scratch is not as unobtainable as you may think. Multiple organizations within your area could pull together money and resources to develop such a facility. The opportunity may suit operators of university closed circuit television or cable access entities that already have the means of production established. The procurement of a digital encoder, transmitter, antenna, etc, may transform your operation into an on-air facility expanding your viewership to everyone in the community. There is also the possibility of running commercials, which may expand revenue base. With DTV, you can operate with true high-definition, or can split your signal into several program streams.

You may file anytime after the commencement date. Filing is first-come first served, meaning, the sooner you apply, the better chance you will have of obtaining a channel. Applications are “cut off” daily. If you and a competitor apply for the same channel on a certain day, it goes to a bidding process.

“Rural” applicants may be able to scoop up a channel right off. Urban applicants are encouraged to apply as soon as the window opens to have a better chance of obtaining a channel.

You will need to hire a consulting engineer to fill out the technical portion of the application (~\$1000-2000). It is advised you obtain a lawyer to complete the remaining portion of the application and file it (~\$1000).

In some places there are already pending LPTV construction permits with owners looking to sell them. Speculators may be eager to unload licenses since commercial prospects for profiting off broadcast television is at a low point. Or you can try a hybrid approach: Find and acquire (or get an option on) an existing LPTV. Then, use the new filing opportunity to apply to “flash cut” to digital on the same channel. A construction permit granted for this purpose is good for three years.

For any further question regarding filing, contact Todd Urick at Common Frequency (todd@commonfrequency.org).