

## FCC 323

### INSTRUCTIONS FOR OWNERSHIP REPORT

#### GENERAL INSTRUCTIONS

##### 1. Definitions. For the purposes of completing this form:

A **Licensee** is a natural person or an entity that holds a Commission license for a commercial broadcast station.

A **Permittee** is a natural person or an entity that holds a Commission construction permit for a commercial broadcast station.

A **Respondent** is any person or entity that is required to file Form 323.

##### 2. Filing Requirements: Non-Biennial Ownership Reports.

Licensees and Permittees of commercial AM, FM, or full power television stations must file Form 323 to report all attributable interests in the Licensee or Permittee as follows.

(A) **Transfers of Control/Assignment of License.** Licensees and Permittees must file Form 323 following the consummation of a transfer of control or an assignment of a commercial AM, FM, or full power television station license or construction permit. **Note: FCC consent is required prior to consummation of transfers of control / assignments of broadcast authorizations.**

(B) **Post-grant of Construction Permit.** A Permittee of a new commercial AM, FM or full power television broadcast station must file Form 323 within 30 days after the grant of the construction permit.

(C) **Application for Station License.** A Permittee of a new commercial AM, FM, or full power television broadcast station must file Form 323 to update the initial report or to certify the continuing accuracy and completeness of the previously filed report (see item (B), above) on the date that the Permittee applies for a license to cover the construction permit.

In the case of organizational structures that include holding companies or other forms of indirect ownership, a separate FCC Form 323 must be filed for each entity in the organizational structure that has an attributable interest in the Licensee.

##### 3. This form is not to be used to request a transfer of control

or assignment of license or construction permit. The appropriate forms for use in connection with such transfers or assignments are FCC Forms 314, 315 and 316. See 47 C.F.R. Sections 73.3540 and 73.3541. It is the responsibility of the Licensee or Permittee to determine if a given transaction constitutes a transfer of control or an assignment. However, for purposes of example only, and for the convenience of interested persons, there are listed below some of the more common types of transfers. A transfer of control takes place when:

- (a) An individual stockholder gains or loses affirmative or negative (50%) control. (Affirmative control consists of control of more than 50% of voting stock; negative control consists of control of exactly 50% of voting stock.)
- (b) Any family group or any individual in a family group gains or loses affirmative or negative (50%) control.
- (c) Any group in privity gains or loses affirmative or negative (50%) control.

The following are examples of transfers of control or assignments requiring prior Commission consent:

- (a) A, who owns 51% of the Licensee's or Permittee's stock, sells 1% or more thereof. A transfer has been effected.
- (b) X corporation, wholly owned by Y family, retires outstanding stock which results in family member A's individual holdings being increased to 50% or more. A transfer has been effected.
- (c) A and B, husband and wife, each owns 50% of the Licensee's or Permittee's stock. A sells some of his stock to B. A transfer has been effected.
- (d) A is one of the partners in the Licensee. A sells any part of his interest to newcomer B or existing partner C. An assignment has been effected.
- (e) X partnership incorporates. An assignment has been effected.
- (f) Minority stockholders form a voting trust to vote their 50% or more combined stockholdings. A transfer has been effected.
- (g) A, B, C, D, and E each own 20% of the stock of X corporation. A, B, and C sell their stock to F, G, and H at different times. A transfer is effected at

such time as 50% or more of the stock passes out of the hands of the stockholders who held stock at the time the original authorization for the Licensee or Permittee corporation was issued.

4. **Filing Requirements: Biennial Reports.** Licensees of commercial AM, FM, and full power television broadcast stations, as well as Licensees of Class A and Low Power Television stations must file FCC Form 323 every two years. The initial filing shall be set by Public Notice issued by the Media Bureau. Thereafter, the Form shall be filed biennially by November 1, 2011, and every two years thereafter. Ownership Reports shall provide information accurate as of October 1 of the year in which the Report is filed, except that the Form filed by the initial filing date shall provide the information as of November 1, 2009. See 47 C.F.R. Section 73.3615(a); *In re Promoting Diversification of Ownership in the Broadcasting Services*, Report and Order and Fourth Further Notice of Proposed Rulemaking, FCC 09-33, 24 FCC Rcd 5896 (2009) and *In re Promoting Diversification of Ownership in the Broadcasting Services*, Memorandum Opinion and Order and Fifth Further Notice of Proposed Rulemaking, FCC 09-92 (rel. Oct. 16, 2009).

Licensees must include all attributable interests on FCC Form 323. For a description of attributable interests see the instructions below and 47 C.F.R Section 73.3555 Notes.

File a separate Form 323 for each entity that holds an attributable interest in a Licensee of a station for which the Form 323 must be filed biennially. In the case of organizational structures that include holding companies or other forms of indirect ownership, a separate Form 323 must be filed for each entity in the organizational structure that has an attributable interest in the licensee.

In the case of a Licensee of multiple stations or other Respondent with attributable interests in a Licensee of multiple stations, where the ownership structure of each station is identical and the information submitted is equally applicable to each station, a single Form 323 may be filed for the Licensee or Respondent listing all such stations. After the initial biennial filing in 2009, if there has been no change in the information submitted since the filing of the last biennial report, a Licensee or other Respondent may electronically validate and resubmit its previously filed Form 323.

5. **Electronic Filing of FCC Form 323.** All Form 323 filings must be submitted electronically. Use the Media Bureau Electronic Filing system (<http://www.fcc.gov/mb/electfile.html>).

## GENERAL INFORMATION – SECTION I (All Respondents Must Complete)

**Questions 1 and 2: Names/Addresses.** Enter the legal name, address, contact information and FCC Registration Number of the Respondent. If the Report is filed on behalf of more than one station, enter the call sign and Facility ID Number of one of the stations in the relevant group. Enter the contact information for the Respondent's representative, as appropriate, in Question 2.

**Licensees/Permittees:** The name of the Licensee or Permittee should be stated exactly as it appears on the station's existing license or construction permit. The current street address or post office box used by the Licensee or Permittee for receipt of Commission correspondence should be set forth. Any change in the name of the Licensee or Permittee, which does not involve a change in ownership requiring prior Commission approval, can be communicated to the Commission by letter. Changes in the mailing address previously used by the Licensee or Permittee should be promptly transmitted to the Commission. See 47 C.F.R. Section 1.5. To report any changes in the mailing address, use the Media Bureau Electronic Filing system (<http://www.fcc.gov/mb/electfile.html>). Licensees or Permittees can also mail in the form entitled "Change in Official Mailing Address for Broadcast Station" (Form 5072).

**FCC Registration Number (FRN).** To comply with the Debt Collection Improvement Act of 1996, the Respondent 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 Registration System, CORES, which is listed among the FCC E-Filing systems (<http://www.fcc.gov/e-file/>).

Questions concerning the FCC Registration Number can be directed to the Commission's Registration System help desk via email at [CORES@fcc.gov](mailto:CORES@fcc.gov) or by calling 1-877-480-3201 (Mon.-Fri. 8 a.m.-6 p.m. ET).

**Facility ID Number.** Facility ID numbers can be located by using the "Station Search" at the Media Bureau Electronic Filing system (<http://www.fcc.gov/mb/electfile.html>). In addition, the Facility ID Number is included on all broadcast authorizations and postcards.

**Question 3:** Select the appropriate button to indicate the nature of the Respondent, e.g., a Licensee, Permittee, or an entity required to file a Form 323 because it holds an attributable interest in the Licensee or Permittee.

**Question 4: Fees.** By law, the Commission is required to collect charges for certain of the regulatory services it

provides to the public. A **fee is required to be paid and submitted with the filing of a Licensee's biennial ownership report only**. All other Form 323 Reports are fee-exempt Reports. Amendments to filed Reports do not require payment of additional fees.

In cases where there has been no change in information since the last filing of a station's biennial ownership report, and a Respondent electronically validates and resubmits its previously filed Form 323, such resubmission constitutes the station's biennial ownership report for that year and the required fee must also be submitted. The fee for the biennial ownership report (whether on a new Form 323 or as a resubmission) is payable by the Licensee and is calculated on an individual station basis. It is the number of stations for which a report is filed that determines the total fee due; not the number of Form 323's filed to provide a complete set of ownership information.

**Fee Exemption: Entities With Attributable Interests.** Respondents that are not Licensees but that are required to File Form 323 because they have an attributable interest in a Licensee are not required to pay the Biennial Report fee. Such filers should select the option marked "Fee-exempt Report" in response to Question 4.

**Fee Exemption: Governmental Entities.** 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 payment of a fee in connection with the filing of any Form 323. Such filers should select the option marked "Governmental Entity" in response to Question 4.

**Question 5:** Enter the "accurate as of" date in this field. The date entered must (1) be Oct. 1 of the filing year when filing a Biennial Ownership Report (or Nov. 1, 2009 in the case of the initial filing); or (2) be no more than 60 days prior to the date of filing when filing a non-biennial Ownership Report.

**Question 6: Purpose.** Indicate in the checkboxes provided whether the Report is (a) filed to satisfy the Biennial filing requirement; (b) a validation and resubmission of a previously filed Biennial Report (certifying no change from the previously filed Biennial Report), (c) filed in connection with a transfer of control or assignment, (d) a Report by a Permittee within 30 days after the grant of a construction permit; (e) an update or certification of accuracy of an initial Report filed by a Permittee; or (f) for the purposes of amending a previously filed Report.

**Question 7: Licensee and Station Information.** All Respondents must enter the name and FCC Registration Number (FRN) of the Licensee for all stations listed on the Report. Also enter the call sign, Facility ID Number, community of license location, and class of service for each station.

**Question 8:** Indicate the nature of the Respondent by selecting one of the checkboxes.

## NON-BIENNIAL OWNERSHIP REPORT – SECTION II-A

**Question 1: Contract Information.** Licensees and Permittees are required to file with the Commission any contract or modification of contract relating to the ownership, control, or management of the Licensee or Permittee or to its stock. See 47 C.F.R. Section 73.3613. Section 73.3613 requires the filing of all contracts of the types specified and is not limited to executed contracts, but includes options, pledges, and other executory agreements and contracts relating to ownership, control, or management.

Licensees or Permittees of commercial AM, FM, and full power television stations should enter a listing for each contract and other instrument required to be filed by 47 C.F.R. Section 73.3613 in the fields provided, including a brief description of the contract/instrument, the name of the person or organization with whom the contract/instrument is made, the date the contract/instrument was executed, and the date the contract/instrument expires. If the agreement is a local marketing agreement (LMA) or a radio joint sales agreement (JSA), or if the agreement is a network affiliation agreement, check the appropriate box; otherwise, select "Other" for other types of agreements. Each contract/instrument must be identified and listed directly in the fields provided. Enter the month and year of the date of execution, and the month and year of the date of expiration. If the agreement is perpetual or does not have a fixed expiration date, select "No Expiration Date." For the purposes of completing Question 1, only the listings of each contract/instrument are required. **Do not attach copies of the contracts/instruments to the form.**

Only Licensees, Permittees, and entities with a majority interest in or that otherwise exercise *de facto* control over a Licensee or Permittee must respond to this question. All non-Licensee/Permittee Respondents should select "Not Applicable" in response to this question.

**Question 2: Capitalization.** Only Licensees, Permittees and Respondent entities with a majority interest in (or that otherwise exercise de facto control over) a Licensee of a

commercial AM, FM, or full power television station must enter the capitalization information in Question 2. For each type of stock, enter the class of stock, indicate whether the class is voting or non-voting, and enter in the number of shares in the applicable category field(s) (Authorized, Issued & Outstanding, Treasury and Unissued).

**Question 3: Ownership Interests.** As used in Question 3, an attributable interest is an ownership interest in or relationship to a Licensee or Permittee which will confer on its holder that degree of influence or control over the Licensee or Permittee sufficient to implicate the Commission's ownership rules. In responding to Question 3, Respondents 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 *Review of the Commission's Regulations Governing Attribution of Broadcast and Cable/MDS Interests*, 14 FCC Rcd 12559 (1999), recon. granted in part, 16 FCC Rcd 1097 (2000). See also Report and Order in MM Docket No. 83-46, 97 FCC 2d 997 (1984), recon. Granted in part, 58 RR 2d 604 (1985), further modified on recon., 61 RR 2d 739 (1986); *In re Promoting Diversification of Ownership in the Broadcasting Services*, Report and Order and Third Further Notice of Proposed Rulemaking, 23 FCC Rcd 5922, FCC 07-217 (2008).

**Part (a):** This Question requires Respondents to enter detailed information about ownership interests by generating a series of subforms. Answer each question on each subform. The first subform listing should be for the Respondent itself. If the Respondent is not a natural person, also list each of the officers, directors, stockholders, non-insulated partners, members and other persons or entities with a direct attributable interest in the Respondent. (A "direct" interest is one that is not held through any intervening companies or entities.) In the case of vertical or indirect ownership structures, report only those interests in the Respondent that also represent an attributable interest in the Licensee or Permittee for which the Report is being submitted.

List each person or entity with a direct attributable interest in the Respondent separately. Entities that are part of an organizational structure that includes holding companies or other forms of indirect ownership must file separate ownership reports. In such a structure do not report or file separate reports for persons or entities that do not have an attributable interest in the Licensee or Permittee for which the report is being submitted.

The following interests are attributable and the holder of such interest should be reported in response to Question 3(a):

**If a CORPORATION:** Each officer, director, and owner of stock accounting for 5% or more of the issued and outstanding voting stock of the Respondent is considered the holder of an attributable interest and must be reported. Where the 5% stock owner is itself a corporation, each of its stockholders, directors and executive officers (president, vice-president, secretary, treasurer or their equivalents) is considered a holder of an attributable interest, **UNLESS** the Respondent submits as an exhibit a statement establishing that an individual director or officer will not exercise authority or influence in areas that will affect the corporate Respondent or the station. In this statement, the Respondent should identify the individual by name and title, describe the individual's duties and responsibilities, and explain the manner in which such individual is insulated from the corporate Respondent and should not be attributed an interest. Such statements should be attached as Exhibit 4 on Form 323.

A person or entity holding an ownership interest in the corporate stockholder of a corporate Respondent is considered to have an attributable interest in the Respondent **ONLY IF** that interest, when multiplied by the corporate stockholder's interest in the Respondent, would account for 5% or more of the issued and outstanding voting stock of the Respondent. For example, where Corporation X owns stock accounting for 25% of the Respondent's votes, only Corporation X shareholders holding 20 percent or more of the issued and outstanding voting stock of Corporation X have a 5% or more indirect interest in the Respondent (.25 x .20 = .05) and, therefore, are considered to have an attributable interest in the Respondent. In applying the multiplier, any entity holding more than 50% of its subsidiary will be considered a 100% owner. For such ownership structures, report on Form 323 only interests that amount to 5% or more of the issued and outstanding voting stock of the Licensee after the multiplier is applied. Where the 5% stock owner is a partnership, each general partner and any limited partner that is not insulated, regardless of the partnership interest, is considered to have an attributable interest that must be reported.

Stock subject to stockholder cooperative voting agreements accounting for 5% or more of the votes in a corporate respondent will be treated as if held by a single entity and any stockholder holding 5% or more of the stock in that block is considered a holder of an attributable interest.

If a single entity holds more than 50% of the voting stock, and a simple majority is all that is required to control corporate affairs, no other stockholder need be reported for purposes of non-biennial filings of the Ownership Report, **unless that entity's interest is attributable under the Commission's Equity/Debt Plus attribution standard described below.**

An investment company, insurance company or trust department of a bank is not considered a holder of an attributable interest, and a Respondent may properly certify that such entity's interest is non-attributable (see Question 3(b), below), **IF** its aggregated holding accounts for less than 20% of the outstanding votes in the Respondent **AND IF** such entity exercises no influence or control over the corporation, directly or indirectly; and such entity has no representatives among the officers and directors of the corporation.

**If a PARTNERSHIP:** All partners, including all limited partners, are considered attributable interest holders. However, a limited partner in a limited partnership is **not** considered an attributable interest holder **IF** the limited partner is not materially involved, directly or indirectly, in the management or operation of the media-related activities of the partnership and the Respondent so certifies (see Question 3(b), below). Sufficient insulation of a limited partner for purposes of this certification would be assured if the limited partnership arrangement:

- (1) specifies that any exempt limited partner (if not a natural person, its directors, officers, partners, etc.) cannot act as an employee of the limited partnership if his or her functions, directly or indirectly, relate to the media enterprises of the company;
- (2) bars any exempt limited partner from serving, in any material capacity, as an independent contractor or agent with respect to the partnership's media enterprises;
- (3) restricts any exempted limited partner from communicating with the Licensee or the general partner on matters pertaining to the day-to-day operations of its business;
- (4) empowers the general partner to veto any admissions of additional general partners admitted by vote of the exempt limited partners;
- (5) prohibits any exempt limited partner from voting on the removal of a general partner or limits this right to situations where the general partner is subject to bankruptcy proceedings, as described in Sections 402 (4)-(5) of the Revised Uniform Limited Partnership Act, is adjudicated incompetent by a court of competent jurisdiction, or is removed for cause, as determined by an independent party;
- (6) bars any exempt limited partner from performing any services to the limited partnership materially relating to its media activities, with the exception

of making loans to, or acting as a surety for, the business; and

- (7) states, in express terms, that any exempt limited partner is prohibited from becoming actively involved in the management or operation of the media businesses of the partnership.

Notwithstanding conformance of the partnership agreement to these criteria, the requisite certification **cannot** be made **IF** the limited partner's interest is attributable under the Commission's Equity/Debt Plus attribution standard described below; or **IF** the Respondent has actual knowledge of a material involvement of a limited partner in the management or operation of the media-related businesses of the partnership. In the event that the Respondent cannot certify as to the noninvolvement of a limited partner, the limited partner will be considered as an attributable interest holder and the interest must be reported.

**If a LIMITED LIABILITY COMPANY:** The Commission treats an LLC as a limited partnership, each of whose members is considered to be an attributable interest holder. However, where an LLC member is insulated in the manner specified above with respect to a limited partnership and where the relevant state statute authorizing the LLC permits an LLC member to insulate itself in accordance with the Commission's criteria, that LLC member is not considered an attributable interest holder. In such a case, the Respondent should certify "Yes" in response to Question 3(b).

**Equity/Debt Plus Attribution Standard.** Certain interests held by substantial investors in, or creditors of, the Respondent may also be attributable, and the investor must be reported, if the interest falls within the Commission's equity/debt plus ("EDP") attribution standard. Under the **EDP** standard, the interest held is attributable if, aggregating both equity and debt, it exceeds 33 percent of the total asset value (all equity plus all debt) of the Respondent – a broadcast station licensee, cable television system, daily newspaper or other media outlet subject to the Commission's broadcast multiple ownership or cross-ownership rules – **AND** the interest holder also holds (1) an attributable interest in a media outlet in the same market, or (2) supplies over 15 percent of the total weekly broadcast programming hours of the station in which the interest is held. For example, the equity interest of an insulated limited partner in a limited partnership Respondent would normally not be considered attributable, but, under the **EDP** standard, that interest would be attributable if the limited partner's interest exceeded 33 percent of the Respondent's total asset value **AND** the limited partner also held a 5 percent voting interest in another radio or television station licensee in the same market.

In some cases an interest holder may exceed the 33 percent EDP threshold without triggering attribution where the investment would enable an Eligible Entity (as that term is defined by the Commission) to acquire a broadcast station provided that: (1) the combined equity and debt of the interest holder in the Eligible Entity is less than 50 percent, or (2) the total debt of the interest holder in the Eligible Entity does not exceed 80 percent of the asset value of the station being acquired by the Eligible Entity and the interest holder does not hold any equity interest, option, or promise to acquire an equity interest in the Eligible Entity or any related entity. *See In re Promoting Diversification of Ownership in the Broadcasting Services, Report and Order and Third Further Notice of Proposed Rule Making*, 23 FCC Rcd 5922 (Mar. 5, 2008).

**FRN Numbers.** For non-biennial Ownership Reports, each Respondent must list in Question 3(a) the FRN of all persons and/or entities which hold a direct attributable interest in the Respondent that is also attributable in the Licensee. FRN information may be located from the FCC Registration System, CORES, which is listed among the FCC E-Filing systems (<http://www.fcc.gov/e-file/>).

**Part (b):** Respondents must indicate that the information provided in part (a) of Question 3 is complete by certifying that all equity and financial interests not reported in response to Question 3(a) are non-attributable.

**Part (c):** List any broadcast stations, other than those for which this Report is filed, in which the Respondent has an attributable interest. Also list any daily newspapers in which the Respondent has an attributable interest and that are located within the pertinent in-market signal contours of any broadcast stations for which this Report is filed. *See 47 C.F.R. Section 73.3555.* Enter the identifying information for the applicable ownership interest:

- (1) For broadcast interests, enter the call sign, community of license, and Facility ID number of each station, the nature and size of the ownership interest, and the positions held into the applicable fields.
- (2) For newspaper interests, enter the name of the newspaper publication and location, the nature and size of the ownership interest, and the positions held into the applicable fields.

**Part (d):** Indicate whether any individuals listed in Question 3(a) are related as parent-child, spouse, or siblings. If the answer is “Yes,” enter the names of the related individuals and select the applicable checkbox indicating the familial relationship.

**Part (e):** If the Respondent seeks an attribution exemption for any officer or director with duties unrelated to the Licensee or Permittee, select “Yes” and enter the name and title of the officer or director in the applicable fields. If the answer selected is “Yes,” attach an exhibit describing that individual’s duties and responsibilities, and explaining why that individual’s interest should not be attributed. Attach any such explanation as Exhibit 4.

## BIENNIAL OWNERSHIP REPORT – SECTION II-B

**Question 1: Contract Information.** Licensees are required to file with the Commission any contract or modification of contract relating to the ownership, control, or management of the Licensee or to its stock. *See 47 C.F.R. Section 73.3613.* Section 73.3613 requires the filing of all contracts of the types specified and is not limited to executed contracts, but includes options, pledges, and other executory agreements and contracts relating to ownership, control, or management.

Licensees of commercial AM, FM, full power television stations, Class A and LPTV stations should enter a listing for each contract and other instrument required to be filed under the FCC’s rules in the fields provided, including a brief description of the contract/instrument, the name of the person or organization with whom the contract/instrument is made, the date the contract/instrument was executed, and the date the contract/instrument expires. If the agreement is a local marketing agreement (LMA) or a radio joint sales agreement (JSA), or if the agreement is a network affiliation agreement, check the appropriate box; otherwise, select “Other” for other types of agreements. Each contract/instrument must be identified and listed directly in the fields provided. Enter the month and year of the date of execution, and the month and year of the date of expiration. If the agreement is perpetual or does not have a fixed expiration date, select “No Expiration Date.” For the purposes of completing Question 1, only the listings of each contract/instrument are required. **Do not attach copies of the contracts/instruments to the form.**

Only Licensees and entities with a majority interest in or that otherwise exercise *de facto* control over a Licensee must respond to this question. All non-Licensee Respondents should select “Not Applicable” in response to this question.

**Question 2: Capitalization.** Only Licensees and Respondents with a majority interest in (or that otherwise exercise *de facto* control over) a Licensee of a commercial AM, FM, full power television, Class A, or LPTV station must enter the capitalization information in Question 2. For each type of stock, enter the class of stock, indicate

whether the class is voting or non-voting, and enter in the number of shares in the applicable category field(s) (Authorized, Issued & Outstanding, Treasury and Unissued).

**Question 3: Ownership Interests.** This Question applies to Licensees of LPTV and Class A TV stations, as well as Licensees of commercial AM, FM and full power television stations. All attributable interests are reportable.

As used in Question 3, an attributable interest is an ownership interest in or relationship to a Licensee which will confer on its holder that degree of influence or control over the Licensee sufficient to implicate the Commission's ownership rules. In responding to Question 3, Respondents 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 *Review of the Commission's Regulations Governing Attribution of Broadcast and Cable/MDS Interests*, 14 FCC Rcd 12559 (1999), recon. granted in part, 16 FCC Rcd 1097 (2000). See also Report and Order in MM Docket No. 83-46, 97 FCC 2d 997 (1984), recon. granted in part, 58 RR 2d 604 (1985), further modified on recon., 61 RR 2d 739 (1986); *In re Promoting Diversification of Ownership in the Broadcasting Services*, Report and Order and Third Further Notice of Proposed Rulemaking, 23 FCC Rcd 5922, FCC 07-217 (2008).

**Part (a):** This Question requires Respondents to enter detailed information about ownership interests by generating a series of subforms. Answer each question on each subform. The first subform listing should be for the Respondent itself. If the Respondent is not a natural person, also list each of the officers, directors, stockholders, non-insulated partners, members and other persons or entities with a direct attributable interest in the Respondent. (A "direct" interest is one that is not held through any intervening companies or entities.) In the case of vertical or indirect ownership structures, report only those interests in the Respondent that also represent an attributable interest in the Licensee for which the Report is being submitted.

List each person or entity with a direct attributable interest in the Respondent separately. Entities that are part of an organizational structure that includes holding companies or other forms of indirect ownership must file separate ownership reports. In such a structure do not report or file separate reports for persons or entities that do not have an attributable interest in the Licensee for which the report is being submitted.

The following attributable interests are attributable and the holder of such interest should be reported in response

to Question 3(a):

**If a CORPORATION:** Each officer, director, and owner of stock accounting for 5% or more of the issued and outstanding voting stock of the Licensee is considered the holder of an attributable interest and must be reported. Where the 5% stock owner is itself a corporation, each of its stockholders, directors and executive officers (president, vice-president, secretary, treasurer or their equivalents) is considered a holder of an attributable interest, **UNLESS** the Respondent submits as an exhibit a statement establishing that an individual director or officer will not exercise authority or influence in areas that will affect the corporate respondent or the station. In this statement, the Respondent should identify the individual by name and title, describe the individual's duties and responsibilities, and explain the manner in which such individual is insulated from the corporate Respondent and should not be attributed an interest. Such statements should be attached as Exhibit 5 on Form 323.

A person or entity holding an ownership interest in the corporate stockholder of a corporate Respondent is considered to have an attributable interest in the Respondent **ONLY IF** that interest, when multiplied by the corporate stockholder's interest in the Respondent, would account for 5% or more of the issued and outstanding voting stock of the Respondent. For example, where Corporation X owns stock accounting for 25% of the Respondent's votes, only Corporation X shareholders holding 20 percent or more of the issued and outstanding voting stock of Corporation X have a 5% or more indirect interest in the Respondent (.25 x .20 = .05) and, therefore, are considered to have an attributable interest in the Respondent. In applying the multiplier, any entity holding more than 50% of its subsidiary will be considered a 100% owner. For such ownership structures, report on Form 323 only interests that amount to 5% or more of the issued and outstanding voting stock of the Licensee after the multiplier is applied. Where the 5% stock owner is a partnership, each general partner and any limited partner that is not insulated, regardless of the partnership interest, is considered to have an attributable interest that must be reported.

Stock subject to stockholder cooperative voting agreements accounting for 5% or more of the votes in a corporate respondent will be treated as if held by a single entity and any stockholder holding 5% or more of the stock in that block is considered a holder of an attributable interest.

If a single entity holds more than 50% of the voting stock, and a simple majority is all that is required to control corporate affairs, no other stockholder need be reported for purposes of biennial filings of the Ownership Report, unless that entity's interest is attributable under the

Commission's Equity/Debt Plus attribution standard described below.

An investment company, insurance company or trust department of a bank is not considered a holder of an attributable interest, and a Respondent may properly certify that such entity's interest is non-attributable (see Question 3(b), below), **IF** its aggregated holding accounts for less than 20% of the outstanding votes in the Respondent **AND IF** such entity exercises no influence or control over the corporation, directly or indirectly; and such entity has no representatives among the officers and directors of the corporation.

**If a PARTNERSHIP:** All partners, including all limited partners, are considered attributable interest holders. However, a limited partner in a limited partnership is **not** considered an attributable interest holder **IF** the limited partner is not materially involved, directly or indirectly, in the management or operation of the media-related activities of the partnership and the Respondent so certifies (see Question 3(b), below). Sufficient insulation of a limited partner for purposes of this certification would be assured if the limited partnership arrangement:

- (1) specifies that any exempt limited partner (if not a natural person, its directors, officers, partners, etc.) cannot act as an employee of the limited partnership if his or her functions, directly or indirectly, relate to the media enterprises of the company;
- (2) bars any exempt limited partner from serving, in any material capacity, as an independent contractor or agent with respect to the partnership's media enterprises;
- (3) restricts any exempted limited partner from communicating with the Licensee or the general partner on matters pertaining to the day-to-day operations of its business;
- (4) empowers the general partner to veto any admissions of additional general partners admitted by vote of the exempt limited partners;
- (5) prohibits any exempt limited partner from voting on the removal of a general partner or limits this right to situations where the general partner is subject to bankruptcy proceedings, as described in Sections 402 (4)-(5) of the Revised Uniform Limited Partnership Act, is adjudicated incompetent by a court of competent jurisdiction, or is removed for cause, as determined by an independent party;
- (6) bars any exempt limited partner from performing

any services to the limited partnership materially relating to its media activities, with the exception of making loans to, or acting as a surety for, the business; and

- (7) states, in express terms, that any exempt limited partner is prohibited from becoming actively involved in the management or operation of the media businesses of the partnership.

Notwithstanding conformance of the partnership agreement to these criteria, the requisite certification **cannot** be made **IF** the limited partner's interest is attributable under the Commission's Equity/Debt Plus attribution standard described below; or **IF** the Respondent has actual knowledge of a material involvement of a limited partner in the management or operation of the media-related businesses of the partnership. In the event that the Respondent cannot certify as to the noninvolvement of a limited partner, the limited partner will be considered as an attributable interest holder and the interest must be reported.

**If a LIMITED LIABILITY COMPANY:** The Commission treats an LLC as a limited partnership, each of whose members is considered to be an attributable interest holder. However, where an LLC member is insulated in the manner specified above with respect to a limited partnership and where the relevant state statute authorizing the LLC permits an LLC member to insulate itself in accordance with the Commission's criteria, that LLC member is not considered an attributable interest holder. In such a case, the Respondent should certify "Yes" in response to Question 3(b).

**Equity/Debt Plus Attribution Standard.** Certain interests held by substantial investors in, or creditors of, the Respondent may also be attributable, and the investor must be reported, if the interest falls within the Commission's equity/debt plus ("EDP") attribution standard. Under the **EDP** standard, the interest held is attributable if, aggregating both equity and debt, it exceeds 33 percent of the total asset value (all equity plus all debt) of the Respondent – a broadcast station licensee, cable television system, daily newspaper or other media outlet subject to the Commission's broadcast multiple ownership or cross-ownership rules – **AND** the interest holder also holds (1) an attributable interest in a media outlet in the same market, or (2) supplies over 15 percent of the total weekly broadcast programming hours of the station in which the interest is held. For example, the equity interest of an insulated limited partner in a limited partnership Respondent would normally not be considered attributable, but, under the **EDP** standard, that interest would be attributable if the limited partner's interest exceeded 33 percent of the Respondent's total asset value **AND** the limited partner also held a 5 percent voting

interest in another radio or television station licensee in the same market.

In some cases an interest holder may exceed the 33 percent EDP threshold without triggering attribution where the investment would enable an Eligible Entity (as that term is defined by the Commission) to acquire a broadcast station provided that: (1) the combined equity and debt of the interest holder in the Eligible Entity is less than 50 percent, or (2) the total debt of the interest holder in the Eligible Entity does not exceed 80 percent of the asset value of the station being acquired by the Eligible Entity and the interest holder does not hold any equity interest, option, or promise to acquire an equity interest in the Eligible Entity or any related entity. *See In re Promoting Diversification of Ownership in the Broadcasting Services*, Report and Order and Third Further Notice of Proposed Rule Making, 23 FCC Rcd 5922 (Mar. 5, 2008).

**FRN Numbers—Biennial Reports.** For Biennial Ownership Reports, each Respondent that holds an attributable interest in the Licensee must list in Question 3(a) the FRN of any person or entity which holds a direct attributable interest in the Respondent that is also attributable in the Licensee. Respondents may locate FRN information from the FCC Registration System, CORES, which is listed among the FCC E-Filing systems (<http://www.fcc.gov/e-file/>). **For any listing that includes the name of a person or entity reported on multiple Ownership Reports, Respondents must ensure that the FRN information is consistent among all such Ownership Reports. Respondents should coordinate with each other to ensure such consistency.**

**Gender/Ethnicity/Race Information.** Among other things, Question 3(a) seeks information as to those persons to which the Commission’s minority and female ownership policies have historically applied. In addition to gender information, Question 3(a) seeks information concerning the ethnicity and race of reported individuals.

**Ethnicity.** Indicate whether or not the individual being reported is Hispanic or Latino (*i.e.*, a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish Culture or origin, regardless of race).

**Race.** The five racial categories are as follows:

- a. **American Indian or Alaska Native.** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- b. **Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian

Subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

- c. **Black or African American.** A person having origins in any of the black racial groups of Africa.
- d. **Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- e. **White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Check all racial categories that apply to the individual being reported.

**Part (b):** Respondents must indicate that the information provided in part (a) of Question 3 is complete by certifying that all equity and financial interests not reported in response to Question 3(a) are non-attributable.

**Part (c):** List any broadcast stations, other than those for which this Report is filed, in which the Respondent has an attributable interest. Also list any daily newspapers in which the Respondent has an attributable interest and that are located within the pertinent in-market signal contours of any broadcast stations for which this Report is filed. *See 47 C.F.R. Section 73.3555.* Enter the identifying information for the applicable ownership interest:

- (1) For broadcast interests, enter the call sign, community of license, and Facility ID number of each station, the nature and size of the ownership interest, and the positions held into the applicable fields.
- (2) For newspaper interests, enter the name of the newspaper publication and location, the nature and size of the ownership interest, and the positions held into the applicable fields.

**Part (d):** Indicate whether any individuals listed in Question 3(a) are related as parent-child, spouse, or siblings. If the answer is “Yes,” enter the names of the related individuals and select the applicable checkbox indicating the familial relationship.

**Part (e):** If the Respondent seeks an attribution exemption for any officer or director with duties unrelated to the Licensee, select “Yes” and enter the name and title of the officer or director in the applicable fields. If the answer selected is “Yes,” attach an exhibit describing that individual’s duties and responsibilities, and explaining why that individual should not be attributed an interest.

**Question 4: Respondent’s Interests Held.** Each

Respondent other than a Licensee should list the name and FRN of all entities in which the Respondent holds a direct attributable ownership interest, where that listed entity has an attributable ownership interest in the Licensee or the stations associated with the Report. Respondents may locate FRN information from the FCC Registration System, CORES, which is listed among the FCC E-Filing systems (<http://www.fcc.gov/e-file/>). **For any listing that includes the name of an entity reported on multiple Ownership Reports, Respondents must ensure that the FRN information is consistent among all such Ownership Reports. Respondents should coordinate with each other to ensure such consistency.** Licensees should select “N/A” in response to this question.

**Question 5: Licensee Ownership Structure Chart.** Licensees must include as an attachment a chart or similar document showing the Licensee’s vertical or other ownership structure including the Licensee and all persons/entities that have attributable interests in the Licensee. Any chart format is acceptable provided that it (a) meets the technical requirements for the submission of attachments via the Commission’s online filing system; and (b) accurately depicts the Licensee’s complete ownership structure, as described above. Non-Licensee Respondents filing separate Form 323 Biennial Reports should select “N/A” in response to this question. If the ownership structure of the Licensee does not include holding companies or other forms of indirect ownership, the Licensee should select “N/A” in response to this question.

### **CERTIFICATION INSTRUCTIONS – SECTION III (All Respondents Must Complete)**

The person certifying the accuracy of the information in this report must be the individual Licensee or Permittee, a general partner in the Licensee or Permittee partnership, or an appropriate officer in the Licensee or Permittee corporation or association. If this report is filed for a Respondent other than the Licensee or Permittee, the person certifying the accuracy of the information must be a general partner in the Respondent partnership or an appropriate officer in the Respondent corporation or association. The date of the signature must (1) be no earlier than Oct. 1 of the filing year when filing a Biennial Ownership Report (and no earlier than Nov. 1, 2009 in the case of the initial filing); or (2) be no more than 60 days prior to the date of filing when filing a non-biennial Ownership Report.

### **FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT AND THE PRIVACY ACT**

We have estimated that each response to this collection of information will take 2.5 to 4.5 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 it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0010), Washington, DC 20554. We will also accept your comments via the Internet if you send them to [pra@fcc.gov](mailto:pra@fcc.gov). 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 or if we fail to provide you with this notice. This collection has been assigned an OMB control number 3060-0010.

The Federal Communications Commission (FCC or Commission) is soliciting this information under authority of Sections 154(i), 303, and 310 of the Communications Act of 1934, as amended, as part of its responsibilities that relate to the ownership of commercial broadcast stations, including AM and FM radio and television, as well as to interests in daily newspapers that are subject to the Commission’s media ownership rules. The Commission needs this information to process FCC Form 323, “Ownership Report for Commercial Broadcast Stations.”

The statutory authority under which the FCC requires filers to comply with the requirements of FCC Form 323, “Ownership Report for Commercial Broadcast Stations,” including the submission of their personally identifiable information, is derived from 47 C.F.R. Sections 73.3555, 73.3615, 73.6026, and 74.797.

The Commission uses these records in this system:

- 1 To address the data contained in responses to FCC Form 323, “Ownership Report for Commercial Broadcast Stations,” which the Commission uses to evaluate licensees’ or permittees’ compliance with the Commission’s media ownership rules, etc. This form is filed:
  - (a) To satisfy the biennial filing requirement (Biennial Ownership Report);
  - (b) As a validation or resubmission of a previously filed Biennial Report;
  - (c) In connection with the transfer of control or assignment of a broadcast station;
  - (d) By a permittee (within 30 days of the grant of a construction permit grant) (“Permittee Report”) and on the date that it files its license application;
  - (e) As an update or certification of accuracy of the initial Permittee Report; or

- (f) As an amendment of a previously filed Ownership Report.
- 2 To undertake studies of minority and female ownership that support its diversity policy goals and other ownership studies to support its statutory requirement to review the media ownership goals quadrennially to determine whether they are necessary in the public interest as the result of competition.
- 3 Any other uses of FCC Form 323 within the Commission's authority.

The PII that is contained in FCC Form 323 and the PII that may be stored in the Commission's information system(s) are covered by the FCC system of records notice, FCC/MB-1, "Ownership Report for Commercial Broadcast Stations." Information about individuals covered by this system of records notice may routinely be disclosed under the following conditions for:

- 1. Public Access – under the rules of the Commission, documents filed under CDBS are publicly available.
- 2. Adjudication and Litigation – where by careful review, the agency determines that the records are both relevant and necessary to litigation and the use of such records is deemed by the agency to be for a purpose that is compatible with the purpose for which the agency collected the records, these records may be used by a court or adjudicative body in a proceeding when: (a) the agency or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States Government is a party to litigation or has an interest in such litigation;
- 3. Financial obligations under the Debt Collection Acts – a record from this system may be disclosed to other Federal agencies for the purpose of collecting and reporting on delinquent debts as authorized by the Debt Collection Act of 1982 or the Debt Collection Improvement Act of 1996. A record from this system may be disclosed to any Federal, state, or local agency to conduct an authorized computer matching program in compliance with the Privacy Act of 1974, as amended, to identify and locate individuals who are delinquent in their repayment of certain debts owed to the U.S. Government. A record from this system may be used to prepare information on items considered income for taxation purposes to be disclosed to Federal, state, and local governments;
- 4. Law enforcement and Investigation – where there is an indication of a violation or potential violation of a statute, regulation, rule, or order, records from this system may be shared with appropriate Federal, State, or local authorities

either for purposes of obtaining additional information relevant to a FCC decision or for referring the record for investigation, enforcement, or prosecution by another agency;

- 5. Congressional Inquiries – when requested by a Congressional office in response to an inquiry by an individual made to the Congressional office for their own records;
- 6. Government-wide Program Management and Oversight – when requested by the National Archives and Records Administration for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906; when the U.S. Department of Justice is contacted in order to obtain that department's advice regarding disclosure obligations under the Freedom of Information Act; or when the Office of Management and Budget is contacted in order to obtain that office's advice regarding obligations under the Privacy Act; and
- 7. Breach Notification – a record from this system may be disclosed to appropriate agencies, entities, and persons when (1) the Commission suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (2) the Commission has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Commission or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Commission's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

In each of these cases, the FCC will determine whether disclosure of the records is compatible with the purpose for which the records were collected.

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, P.L. 104-13, OCTOBER 1, 1995, 44 U.S.C. 3507 AND THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. SECTION 552A(E)(3).**

**FCC 323**  
**OWNERSHIP REPORT**  
**FOR**  
**COMMERCIAL BROADCAST STATIONS**

**SECTION I - GENERAL INFORMATION**

FOR COMMISSION USE ONLY  
FILE NO.

1.	Legal Name of the Respondent		
	Street Address (1)		
	Street Address (2)		
	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 ID Number

2.	Contact Representative	Firm or Company Name	
	Street Address (1)		
	Street Address (2)		
	City	State or Country (if foreign address)	ZIP Code
	Telephone Number (include area code)	E-Mail Address (if available)	

3. Nature of Respondent (See Instructions for definitions)

- Licensee  
 Permittee  
 Entity with an attributable interest

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

- Governmental Entity     Fee-exempt Report     Other \_\_\_\_\_     N/A (Fee Required)

5. All of the information furnished in this Report is accurate as of \_\_\_\_\_

*(Date entered must (1) be Oct. 1 of the filing year when filing a Biennial Ownership Report (or Nov. 1, 2009 in the case of the initial filing); or (2) be no more than 60 days prior to the date of filing when filing a non-biennial Ownership Report.)*

6. Purpose. This Report is filed for: (choose one)

- a.  Biennial
- b.  Validation and Resubmission of a previously filed Biennial Report (certifying no change from previous Report)
- c.  Transfer of Control or Assignment of License/Permit
- d.  Report by Permittee filing within 30 days after the grant of a construction permit for a new commercial AM, FM or full power television broadcast station
- e.  Update / certification of accuracy of an initial Ownership Report filed by Permittee (filing in conjunction with Permittee's application for a station license)
- f.  Amendment to a previously filed Ownership Report (enter File Number below)  File Number

If an Amendment, **submit as an Exhibit** a listing by Section and Question Number the portions of the previous Report that are being revised.

Exhibit No.

7. Licensee and Station Information. The stations listed below are all licensed to the following person or entity:

Licensee Name	Licensee's FCC Registration Number (FRN)
---------------	--

This Report is filed for the following stations:

Call Sign	Facility ID Number	Location (City/State)	Class of service

8. Respondent is:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Sole proprietorship    | <input type="checkbox"/> Not-for-profit corporation | <input type="checkbox"/> Limited partnership |
| <input type="checkbox"/> For-profit corporation | <input type="checkbox"/> General partnership        | <input type="checkbox"/> Other               |

If "Other," describe the nature of the Respondent in an Exhibit.

Exhibit No.
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## SECTION II-A - NON-BIENNIAL OWNERSHIP INFORMATION

1. Contract Information. List all contracts and other instruments required to be filed by 47 C.F.R. Section 73.3613. (Only Licensees, Permittees, or Respondents with a majority interest in or that otherwise exercise de facto control over the subject Licensee or Permittee shall respond. Other Respondents should select "Not Applicable" in response to this question.) If the agreement is a local marketing agreement (LMA) or a radio joint sales agreement (JSA), or if the agreement is a network affiliation agreement, check the appropriate box; otherwise, select "Other" for non-LMA/radio JSA or network affiliation agreements.

Not Applicable

Description of contract or instrument	Name of person or organization with whom contract is made	Date of Execution	Date of Expiration	Agreement Type (check all that apply)
		<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

2. Capitalization (Only Licensees, Permittees, or entities with a majority interest in or that otherwise exercise de facto control over the subject Licensee shall respond.)

Not Applicable

Class of stock (preferred, common or other)	Voting or Non-voting	Number of Shares			
		Authorized	Issued and Outstanding	Treasury	Unissued
<input type="checkbox"/> Preferred	<input type="checkbox"/> Voting				
<input type="checkbox"/> Common	<input type="checkbox"/> Non-Voting				
<input type="checkbox"/> Other (specify: <input type="text"/>					

3. a. Ownership Interests. This Question requires Respondents to enter detailed information about ownership interests by generating a series of subforms. Answer each question on each subform. The first subform listing should be for the Respondent itself. If the Respondent is not a natural person, also list each of the officers, directors, stockholders, non-insulated partners, members and other persons or entities with a direct attributable interest in the Respondent. (A "direct" interest is one that is not held through any intervening companies or entities.) In the case of vertical or indirect ownership structures, report only those interests in the Respondent that also represent an attributable interest in the Licensee or Permittee for which the Report is being submitted.

List each person or entity with a direct attributable interest in the Respondent separately. Entities that are part of an organizational structure that includes holding companies or other forms of indirect ownership must file separate ownership reports. In such a structure do not report or file separate reports for persons or entities that do not have an attributable interest in the Licensee or Permittee for which the report is being submitted.

Name		
Street Address (1)		
Street Address (2)		
City	State or Country (not U.S.)	ZIP Code

**Listing Type**

Respondent

Other Interest Holder

**Relationship to Licensee/Permittee**

Licensee/Permittee (or Officer/Director of Licensee/Permittee)

Person with attributable interest

Entity with attributable interest

**Positional Interest** (Check all that apply)

Officer

Director

General Partner

Limited Partner

LC/LLC/PLLC Member

Owner

Stockholder

Attributable Creditor

Attributable Investor

Other (please specify):

**FCC Registration Number**

**Percentage of votes**

**Percentage of total assets (equity debt plus)**

- b. Respondent certifies that any equity and financial interests not reported in response to Question 3(a) are non-attributable.

If "No," submit as an Exhibit an explanation.

Yes  No

Exhibit No.

- c. Does the Respondent or any person/entity with an attributable interest in the Respondent also hold an attributable interest in any other broadcast station, or in any newspaper entities in the same market, as defined in 47 C.F.R. Section 73.3555?

Yes  No

If "Yes", provide information describing the interest(s), using EITHER the sub form OR the spreadsheet option below for the applicable type of interest (broadcast or newspaper). Respondents with a large number (50 or more) of entries to submit should use the spreadsheet option. NOTE: Spreadsheets must be submitted in a special "XML Spreadsheet" format with the appropriate structure that is specified in the documentation. For instructions on how to use the spreadsheet option to complete this question (including templates to start with), please [Click Here](#).

Name of Interest Holder	Call Sign	Community of License	Facility ID Number	Percentage of Votes	Percentage of total assets (EDP)	Positional Interest (Check all that apply)
		<input type="text"/> <input type="text"/>			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>

Name of Interest Holder	Name of Newspaper	Location	Percentage of Votes	Percentage of total assets (EDP)	Positional Interest (Check all that apply)
		<input type="text"/> <input type="text"/>			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

- d. Are any of the individuals listed in response to Question 3(a) married, related as parent-child, or related as siblings?  Yes  No

If "Yes", complete the information describing the relationship.

Name	Parent/Child <input type="checkbox"/>	Spouse <input type="checkbox"/>	Siblings <input type="checkbox"/>
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- e. Is Respondent seeking an attribution exemption for any officer or director with duties unrelated to the Licensee or Permittee?  Yes  No

If "Yes", complete the information in the required fields and submit an Exhibit fully describing that individual's duties and responsibilities, and explaining why that individual should not be attributed an interest.

Name	Title
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## SECTION II-B - BIENNIAL OWNERSHIP INFORMATION

1. Contract Information. List all contracts and other instruments required to be filed by 47 C.F.R. Section 73.3613. (Only Licensees or Respondents with a majority interest in or that otherwise exercise de facto control over the subject Licensee shall respond. Other Respondents should select "Not Applicable" in response to this question.) If the agreement is a local marketing agreement (LMA) or a radio joint sales agreement (JSA), or if the agreement is a network affiliation agreement, check the appropriate box; otherwise, select "Other" for non-LMA/radio JSA or network affiliation agreements.

Not Applicable

Description of contract or instrument	Name of person or organization with whom contract is made	Date of Execution	Date of Expiration	Agreement Type (check all that apply)
		<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

2. Capitalization (Only Licensees or entities with a majority interest in or that otherwise exercises de facto control over the subject Licensee shall respond.)

Not Applicable

Class of stock (preferred, common or other)	Voting or Non-voting	Number of Shares			
		Authorized	Issued and Outstanding	Treasury	Unissued
<input type="checkbox"/> Preferred	<input type="checkbox"/> Voting				
<input type="checkbox"/> Common	<input type="checkbox"/> Non-Voting				
<input type="checkbox"/> Other (specify: <input type="text"/>					

3. a. Ownership Interests. This Question requires Respondents to enter detailed information about ownership interests by generating a series of subforms. Answer each question on each subform. The first subform listing should be for the Respondent itself. If the Respondent is not a natural person, also list each of the officers, directors, stockholders, non-insulated partners, members and other persons or entities with a direct attributable interest in the Respondent. (A "direct" interest is one that is not held through any intervening companies or entities.) In the case of vertical or indirect ownership structures, report only those interests in the Respondent that also represent an attributable interest in the Licensee for which the Report is being submitted.

List each person or entity with a direct attributable interest in the Respondent separately. Entities that are part of an organizational structure that includes holding companies or other forms of indirect ownership must file separate ownership reports. In such a structure do not report or file separate reports for persons or entities that do not have an attributable interest in the Licensee for which the report is being submitted.

Name		
Street Address (1)		
Street Address (2)		
City	State or Country (if not U.S.)	ZIP Code

**Listing Type**

- Respondent  
 Other Interest Holder

**Relationship to Licensee**

- Licensee (or Officer/Director of Licensee/Permittee)  
 Person with attributable interest  
 Entity with attributable interest

**Positional Interest** (Check all that apply)

- |  |   |  |  |
|--|---|--|--|
| <input type="checkbox"/> Officer               | <input type="checkbox"/> Director                                     | <input type="checkbox"/> General Partner | <input type="checkbox"/> Limited Partner       |
| <input type="checkbox"/> LC/LLC/PLLC Member    | <input type="checkbox"/> Owner  | <input type="checkbox"/> Stockholder     | <input type="checkbox"/> Attributable Creditor |
| <input type="checkbox"/> Attributable Investor | <input type="checkbox"/> Other (please specify): <input type="text"/> |  |  |

**FCC Registration Number**

**Gender, Ethnicity, Race and Citizenship Information (Natural Persons)**

- N/A (entity)

Gender

- Male  Female

Ethnicity

- Hispanic or Latino  Not Hispanic or Latino

Race

- |  |                                |  |
|--|--------------------------------|--|
| <input type="checkbox"/> American Indian or Alaska Native          | <input type="checkbox"/> Asian | <input type="checkbox"/> Black or African American |
| <input type="checkbox"/> Native Hawaiian or Other Pacific Islander | <input type="checkbox"/> White |  |

**Check all racial categories that apply to the individual being reported.**

Citizenship

**Percentage of votes**

**Percentage of equity**

**Percentage of total assets (equity debt plus)**

- b. Respondent certifies that any equity and financial interests not reported in response to Question 3(a) are non-attributable.  Yes  No

If "No," submit as an Exhibit an explanation.

Exhibit No.

- c. Does the Respondent or any person/entity with an attributable interest in the Respondent also hold an attributable interest in any other broadcast station, or in any newspaper entities in the same market, as defined in 47 C.F.R. Section 73.3555?  Yes  No

If "Yes", provide information describing the interest(s), using EITHER the sub form OR the spreadsheet option below for the applicable type of interest (broadcast or newspaper). Respondents with a large number (50 or more) of entries to submit should use the spreadsheet option. NOTE: Spreadsheets must be submitted in a special "XML Spreadsheet" format with the appropriate structure that is specified in the documentation. For instructions on how to use the spreadsheet option to complete this question (including templates to start with), please [Click Here](#).

Name of Interest Holder	Call Sign	Community of License	Facility ID Number	Percentage of Votes	Percentage of equity	Percentage of total assets (EDP)	Positional Interest (Check all that apply)
		<input type="text"/> <input type="text"/> <input type="text"/>				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>

Name of Interest Holder	Name of Newspaper	Location	Percentage of Votes	Percentage of equity	Percentage of total assets (EDP)	Positional Interest (Check all that apply)	
		<input type="text"/> <input type="text"/>				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="text"/>

- d. Are any of the individuals listed in response to Question 3(a) married, related as parent-child, or related as siblings?  Yes  No

If "Yes", complete the information describing the relationship.

Name	Parent/Child <input type="checkbox"/>	Spouse <input type="checkbox"/>	Siblings <input type="checkbox"/>
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- e. Is Respondent seeking an attribution exemption for any officer or director with duties unrelated to the Licensee?

Yes  No

Exhibit No.

If "Yes" complete the information in the required fields and submit an Exhibit fully describing that individual's duties and responsibilities, and explaining why that individual should not be attributed an interest.

Name	Title
------	-------

4. Respondent's Held.  
which the Respondent holds a direct attributable ownership interest, where that listed entity has an attributable ownership interest in the Licensee of the stations associated with the Report. Licensees should select "N/A" in response to this question.

**For any listing that includes the name of a person or entity reported on multiple Ownership Reports, ensure that the FRN information is consistent among all such Ownership Reports. Respondents should coordinate with each other to ensure such consistency.**

N/A

Name	FCC Registration Number
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5. Organizational Chart. **LICENSEES ONLY:** Attach a flowchart or similar document showing the Licensee's vertical ownership structure including the Licensee and all persons/entities that have attributable interests in the Licensee.

N/A  Exhibit No.

Non-Licensee Respondents should select "N/A" in response to this question.

**SECTION III - CERTIFICATION**

I certify that I am \_\_\_\_\_  
(Official Title)  
of \_\_\_\_\_  
(Exact legal title or name of Respondent)

and that I have examined this Report and that to the best of my knowledge and belief, all statements in this Report are true, correct and complete.

(Date \_\_\_\_\_ of \_\_\_\_\_ the \_\_\_\_\_  
1, 2009 in the case of the initial filing); or (2) be no more than 60 days prior to the date of filing when filing a non-biennial Ownership Report.)

Signature	Date
Telephone Number of Respondent (Include area code)	

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).