



## Main Studio and Public File

By Greg Skall

Although the FCC revised its main studio and public file rules several years ago, we still get frequent questions from broadcasters on this topic. Clearly, many are still confused about these rules and it is worth an article to clarify the current rules. The Commission's changes were intended to afford flexibility and preserve public access to station facilities, personnel and information.

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**Main Studio Location.** A broadcast station's main studio may be located either within 25 miles from its community of license reference coordinates; or within the principal community contour of any station, of any service, licensed to its community of license. This change has allowed broadcast stations much more flexibility over the previous rules in the location of their main studios. Where radio stations are licensed to communities in which Class C FM or Class A AM facilities are also licensed, stations may find that a main studio can be located 40 miles or more from the city of license.

### Public File Location

The station public file must be located at its main studio, wherever located. The old rule allowed broadcasters to maintain a separate public file location inside the community of license when the main studio is located outside of the community of license. Since allowing expanded range for location of the main studio, that former rule is no longer in effect and stations that previously relied upon it and have not relocated the public file should immediately take corrective action. Applicants for new stations or applicants for a change of community of license must locate their file either in the proposed community of license or at a proposed main studio.

As an option to maintaining a paper file, the broadcasters may maintain all or part of their public file in a computer database so long as a computer terminal is made available at the file location for members of the public. The Commission has said that it encourages (but does not require) licensees who maintain an electronic public file to post their files on the web. Note however, that under the new EEO rules, broadcasters who maintain web sites must post their annual EEO public file report to their web sites.

### Public Access to Files

The entire public file (whether on paper or read from a computer database) must be available for public inspection at any time during regular business hours. Prior ap-

pointments may not be required, nor can an "off-the-street" request be refused on the ground of inconvenience. You may obtain personal identification (name and address only) from any person requesting to review the public file, but you may not require any information relating to organizational affiliation, the purpose of the request or other matters. If a person becomes abusive or destructive, either when requesting inspection or during the inspection itself, he/she may (and should) be denied further access to the material.

If any party desires material in the public file to be reproduced, the copies must be made available within seven days of receipt of the request. All requests for reproduction made in person must be honored. If the public file is located outside your station's community of license, then a station must also honor telephone requests from residents within your service area (grade B contour for TV, 0.5 mV/m contour for AM and Class B FM, 0.7 mV/m contour for Class B1 FM and 1.0 mV/m contour for all other FM) for everything except your political file. A station may, if it wishes, also honor requests made by mail. The requesting party may be required to pay all reasonable costs of reproduction, including the direct copying costs as well as associated expenses such as the allocated salaries and overhead of staff necessary to supervise the file materials during reproduction. The station, however, is required to pay postage to mail the copies to the requestor.

To facilitate requests for public file documents, stations whose public files are located outside their city of license are required to mail to callers within their service area a copy of the current edition of "The Public and Broadcasting" manual. Both the copy and the mailing are to be at the station's expense and free of charge to the caller. In addition, station personnel are required to assist callers within the service area by answering any reasonable questions they may have about the actual contents of the station's public file (except the political file). As an example, the Commission indicates that, if asked, stations should be prepared to describe to a caller the number of pages and time periods covered by a particular ownership report or children's television programming report, or the types of applications actually maintained in the station's public file and the dates they were filed with the FCC. The Commission also encourages (but, except for EEO reports, does not require) stations to place the descriptions of their public files on any Internet home page that they maintain.

The FCC document, *The Public and Broadcasting*, must be placed in a station's public file and a copy sent by mail without charge for either copying or postage to any member of the public requesting it. The document is also available for downloading from the Media Bureau web page at <http://www.fcc.gov/mb/>

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