

DTV Ancillary Services Report and Payment Due December 1

We remind the holders of all digital television authorizations that FCC's Annual DTV Ancillary/Supplementary Services Report (FCC Form 317) is due to be received by December 1. The report is required from all holders of DTV authorizations, whether commercial or non-commercial, and whether a license or a permit. The form must be filed electronically and is to cover the year ending September 30.

The form requires identification of each ancillary/supplementary service provided on a station's digital spectrum capacity or bitstream, whether a fee was charged, the amount of gross revenues (including subscriptions and advertising) received from the service, and the amount of DTV bitstream used to provide the service. Eligible services include (but are not limited to) computer software distribution, data transmission, teletext, interactive materials, aural messages, paging services, audio signals and subscription video. The only exemption is for free over-the-air video broadcast signals provided at no direct charge to viewers.

Also due by December 1 is payment of the required fee, in the amount of 5% of the gross revenues derived from all feeable ancillary or supplementary services. The payment must be accompanied by a Remittance Advice (FCC Form 159).

Please note that records sufficient to support the calculation of ancillary service fees must be maintained and made available to the Commission for three years.

If we can provide specific guidance in this area, please contact [Peter Gutmann](mailto:pgutmann@wcsr.com) at (202) 857-4532 or pgutmann@wcsr.com, or one of our other Womble Carlyle [Telecommunications](#) professionals.

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