

Exhibit B

Measured Antenna Pattern and Measurement Procedures
WMFO Directional Antenna Replacement

Ballou Hall
Tufts University
Medford, MA 02155

Prepared by Michael LeClair
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Consulting Engineer

KATHREIN
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October 21, 2004

Mr. Michael LeClair
Tufts University
Fax: (617) 353-0155Ref: **System No. 759 11848, K53 32 187 FM Antenna Array**
Broadband FM, Circular Polarized Antenna System
WMFO – Antenna Measurement System

Dear Michael,

The azimuth patterns for the above referenced antenna system were measured at the Kathrein-Werke KG factory (Plant II) in Rosenheim, Germany. The measuring system consists of a full scale measuring system located on the roof of the Kathrein factory. Patterns taken at the actual operating frequency, not scaled.

The measurement system consists of a Rohde & Schwarz ZVRE vector network analyzer, a test positioner with synchrotransmitter (provides azimuth data of the test tower) and a PC to record the resulting data. The tower section used in this test was a Rohn 25 identical to WMFO's Rohn 25 tower that the system is installed on.

The antenna system was comprised of a single bay. The power feeding and phase of the array was identical to that of the actual installation. A mechanical drawing of the test system and mounting dimensions is included herein.

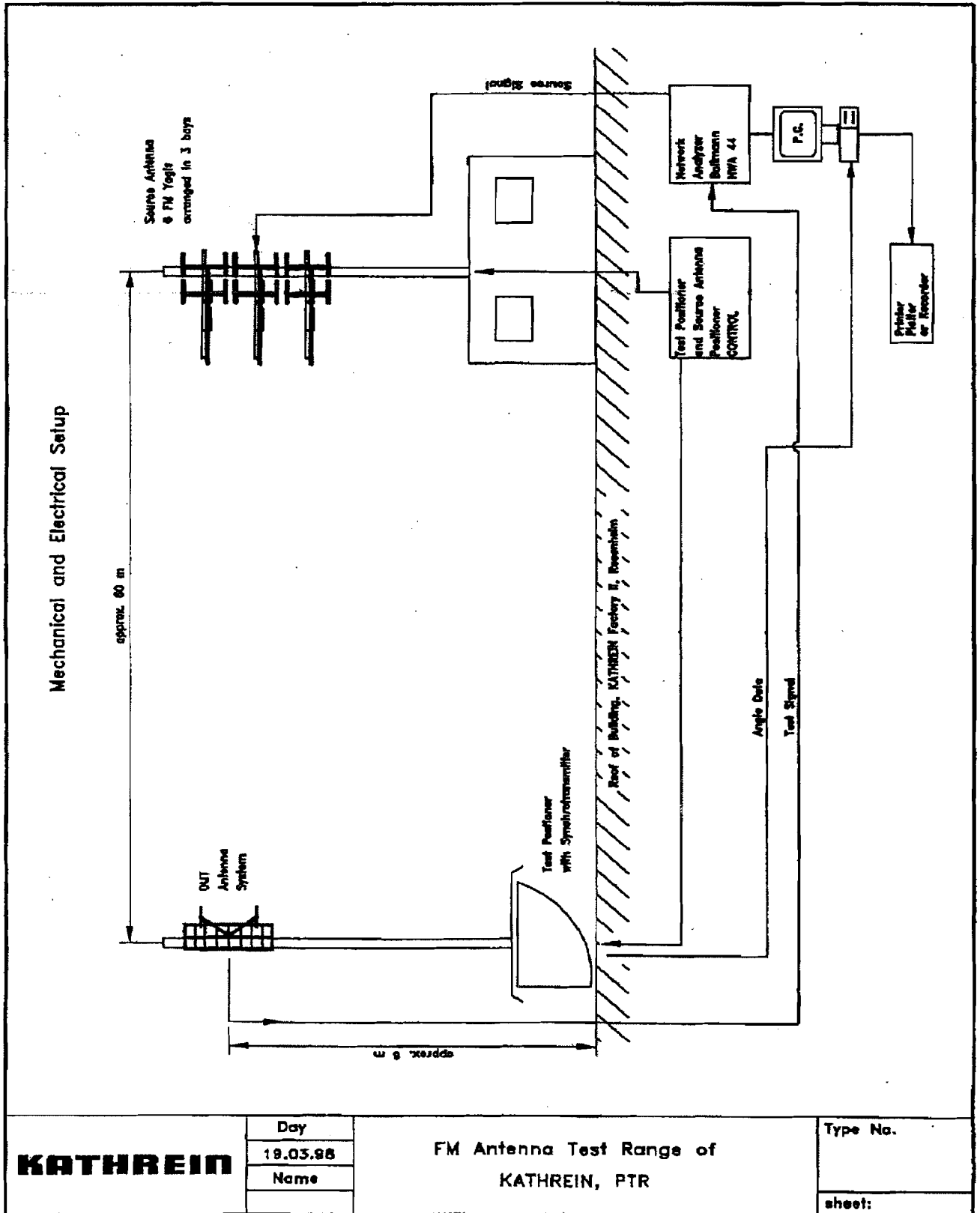
Mr. Manfred Schlentner, Senior Antenna Engineer, at the Kathrein Company, supervised the antenna pattern testing. Mr. Schlentner, Dipl.-Ing. is a graduate in civil engineering with a technical degree obtained in 1968 at the Technical University in Munich, Germany.

Respectfully submitted by:

Michael Wm. Bach, Sales Engineer
Kathrein Inc., Scala Division
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Ph: (541) 779 6500 Ext. 128; Fx: (541) 779 6575
Direct: (541) 618 5128

MWB/jy





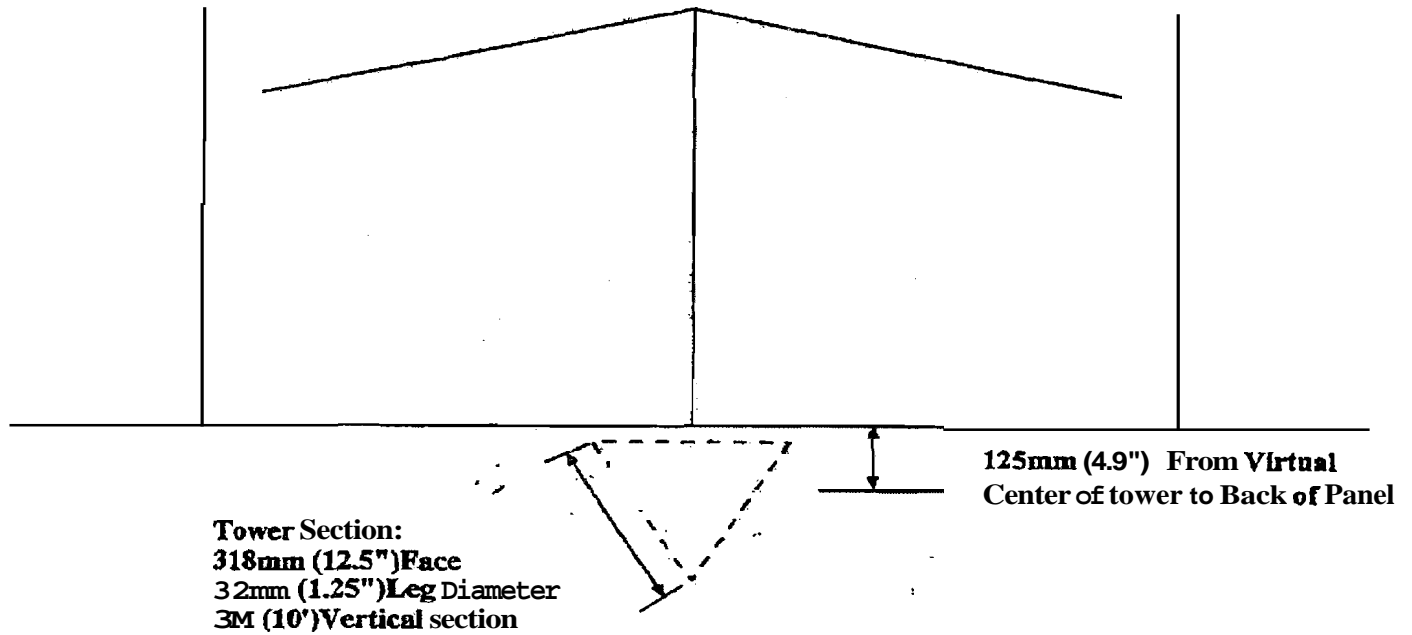
KATHREIN

Day	19.03.98
Name	

FM Antenna Test Range of
 KATHREIN, PTR

Type No.

sheet:



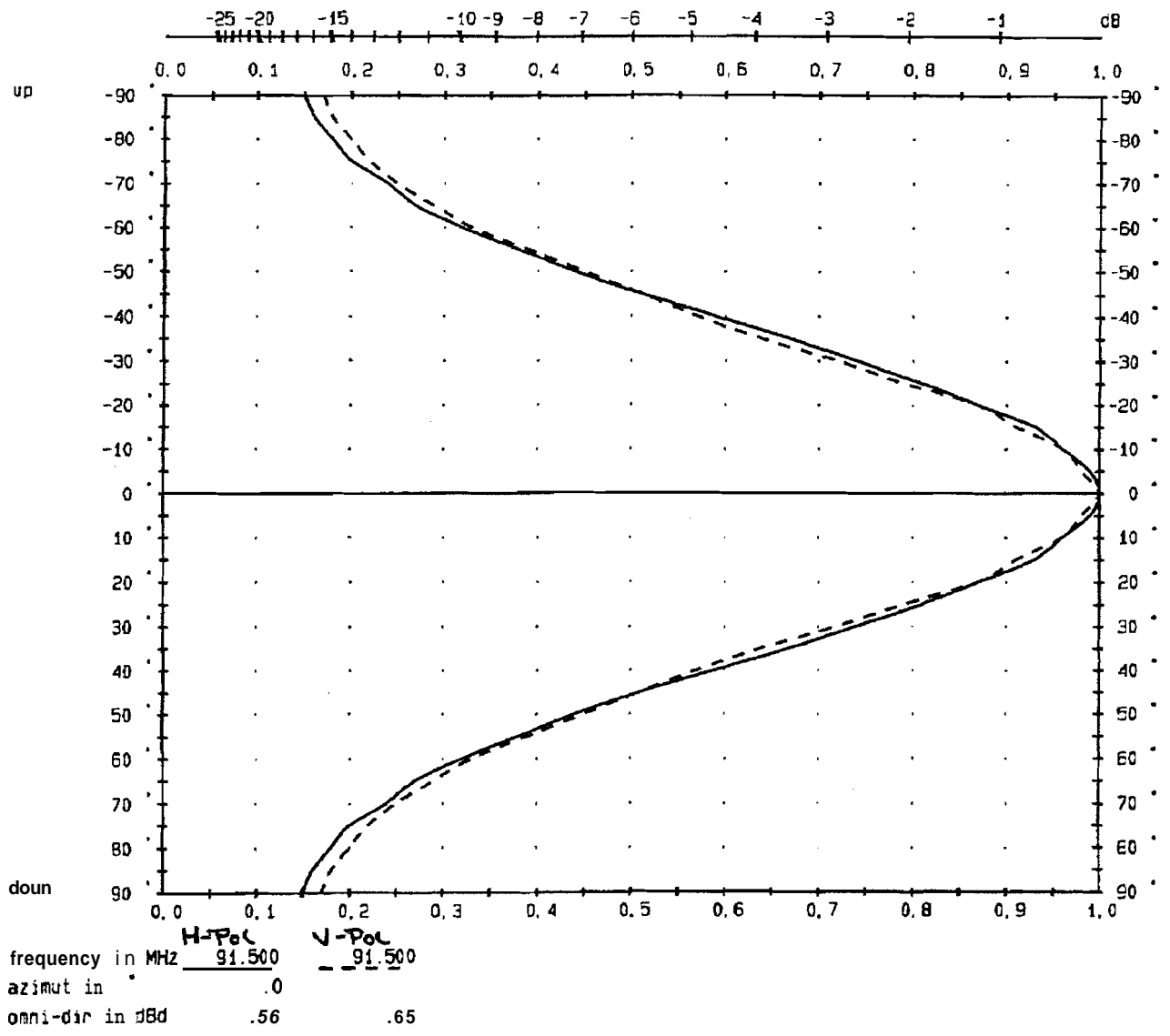
The panel is centered on the above described Tower Section and mounted 125mm(4.9") from the virtual center of the tower to the back of the Panel.

meter

mast size in mm 318. direction 0
 offset north 0. east 0.

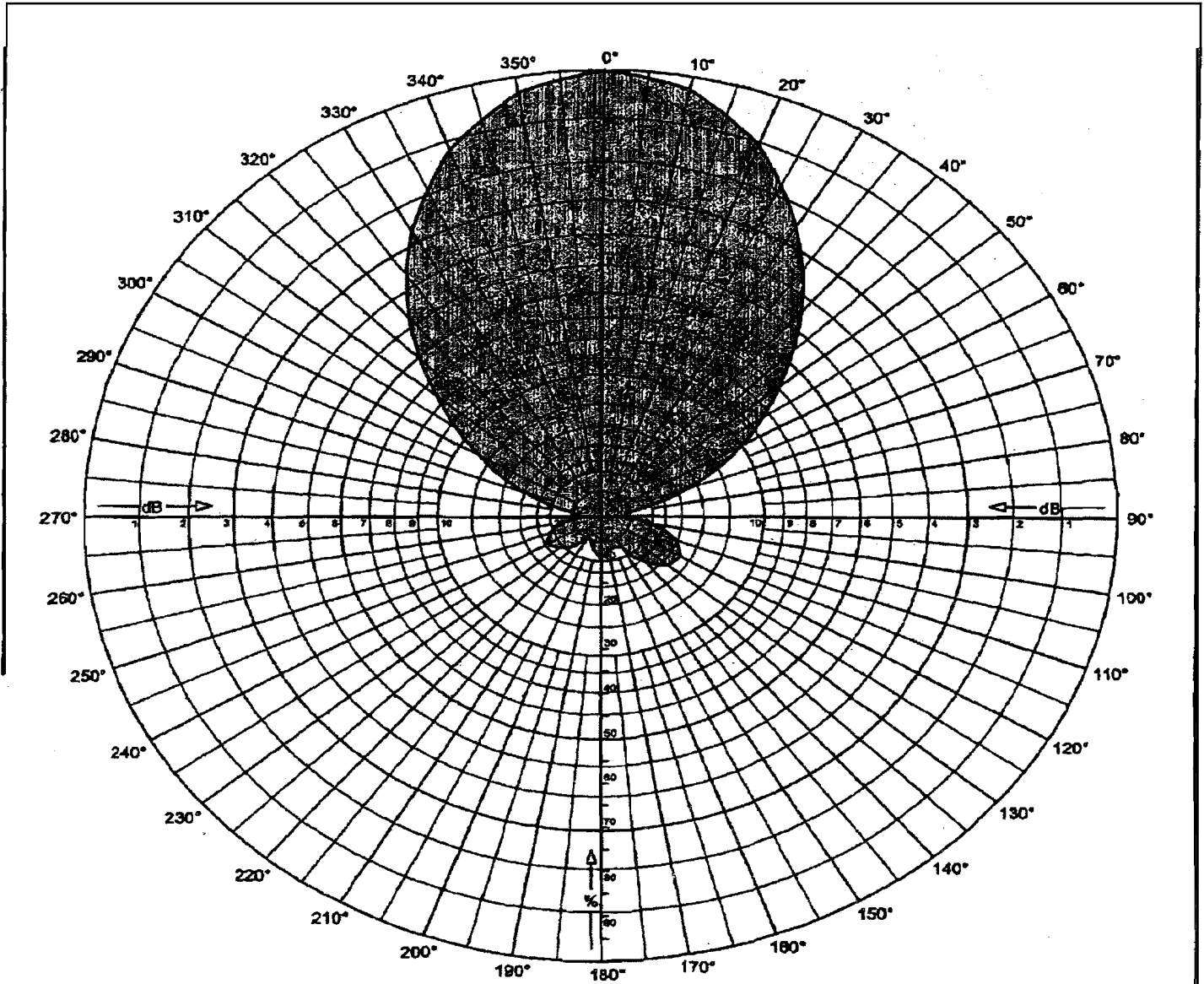
K53 32 187 FM Antenna Array WMFO Tufts University System 759 11848

S C A L A Medford Oregon	Mounting Dimensions for Measured pattern	Typ Nr.
		Bl.:



WMFO-FM Medford, Massachusetts.

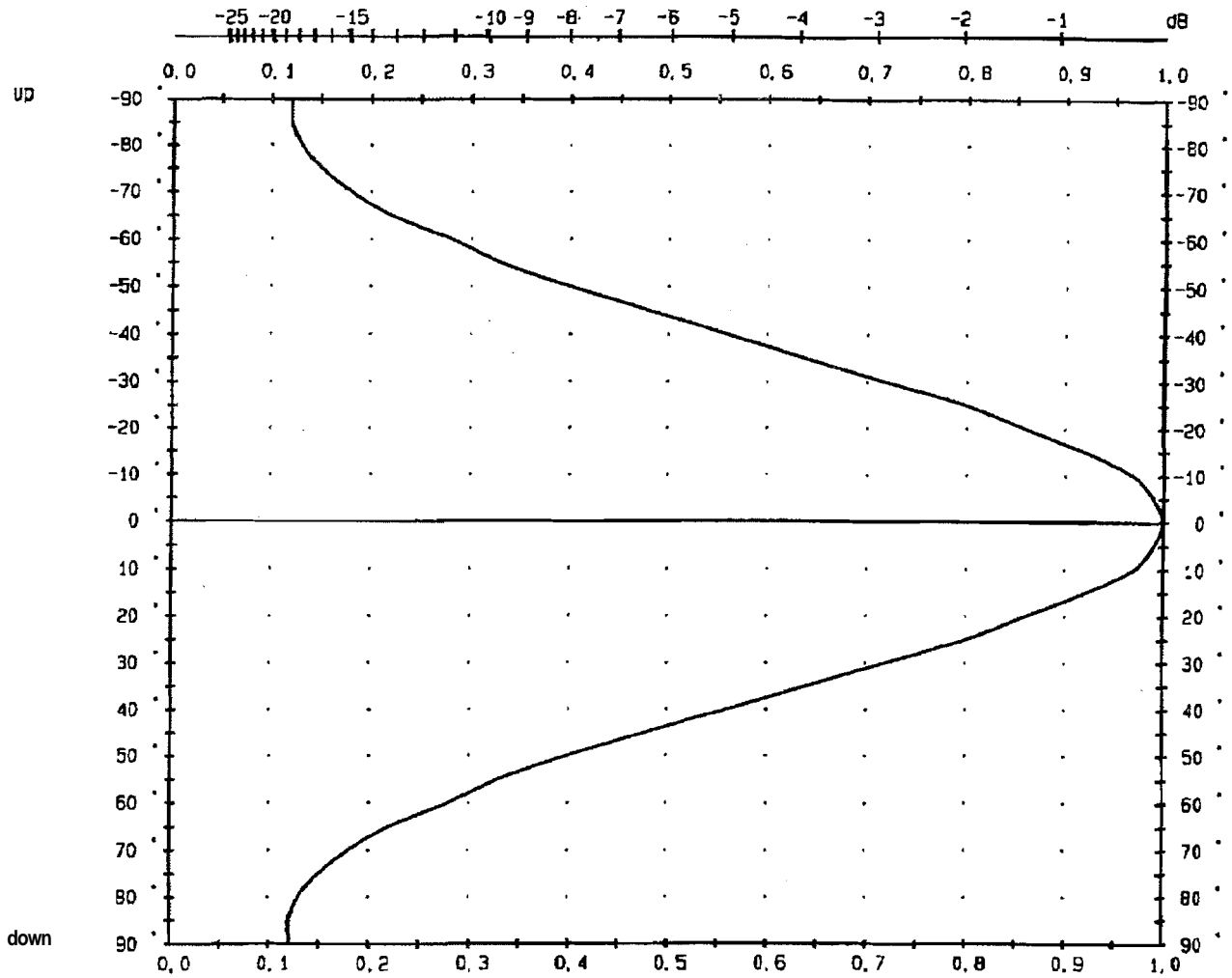
SCALE MedFord Oregon MB 19.11.2 16:44	one K53 32 187 CP Panel antenna	Typ Nr
	Frequency: 91.5 Mhz.	B1.:



WMFO - FM
freq: 91.5 MHz
Single K53 32 187 panel Antenna
attached to Rohn-25 tower
Horizontal Polarization
Horizontal Plane



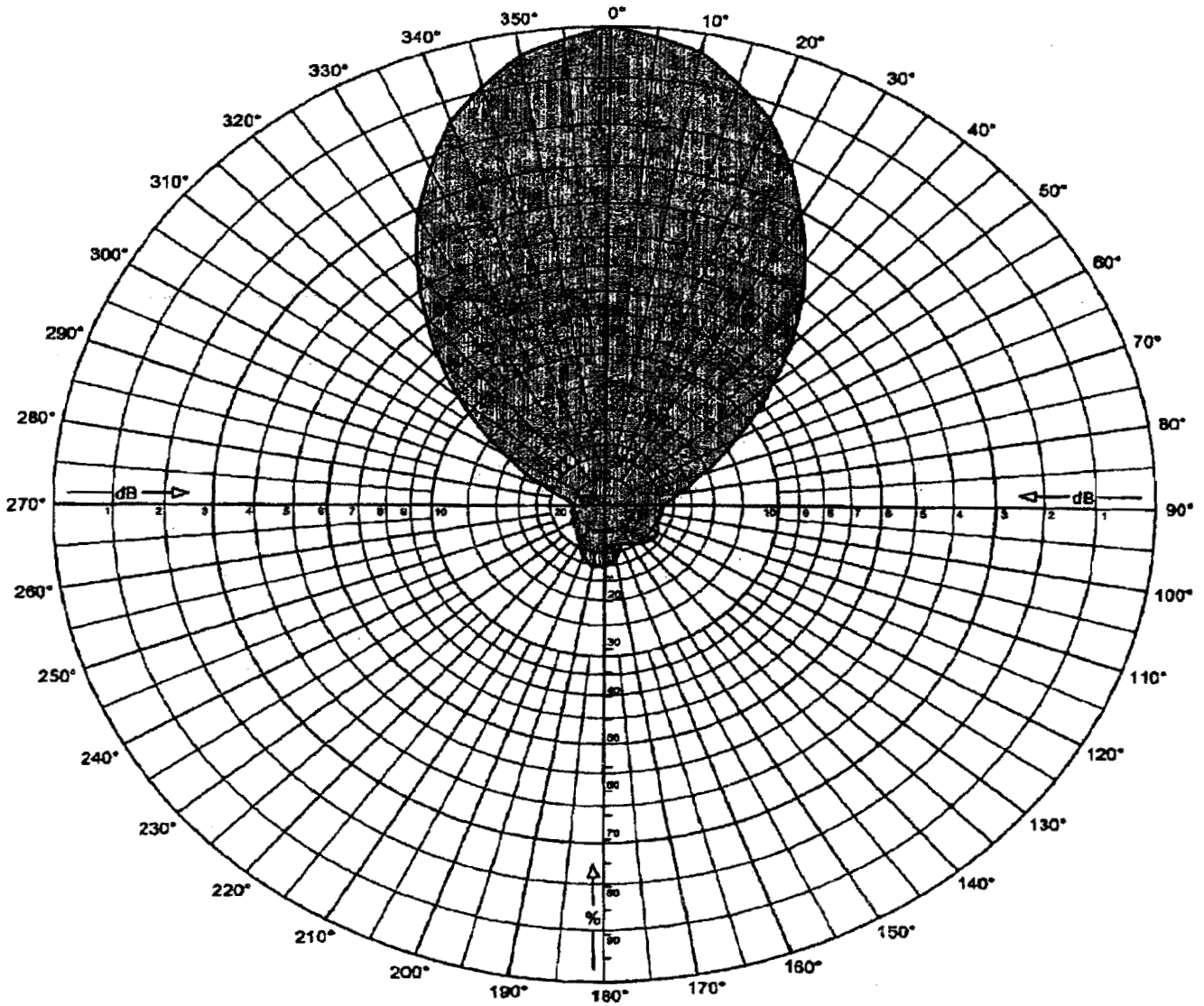
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frequency in MHz 91.500
 azimuth in .0
 omni-dir in dBd .71

Tufts University WMFO

<p>SCALA Medford Oregon</p>	<p>One K53 32 187 arrached to Rohn-25 tower</p>	<p>Typ Nr.</p>
<p>MB 2.12. 4 15:51</p>	<p>freq: 91.5 MHz. Horizontal polarizatio</p>	<p>SI.:</p>



WMFO - FM
freq: 91.5 MHz
Single K53 32 187 panel Antenna
attached to Rohn-25 tower
Vertical Polarization
Horizontal Plane

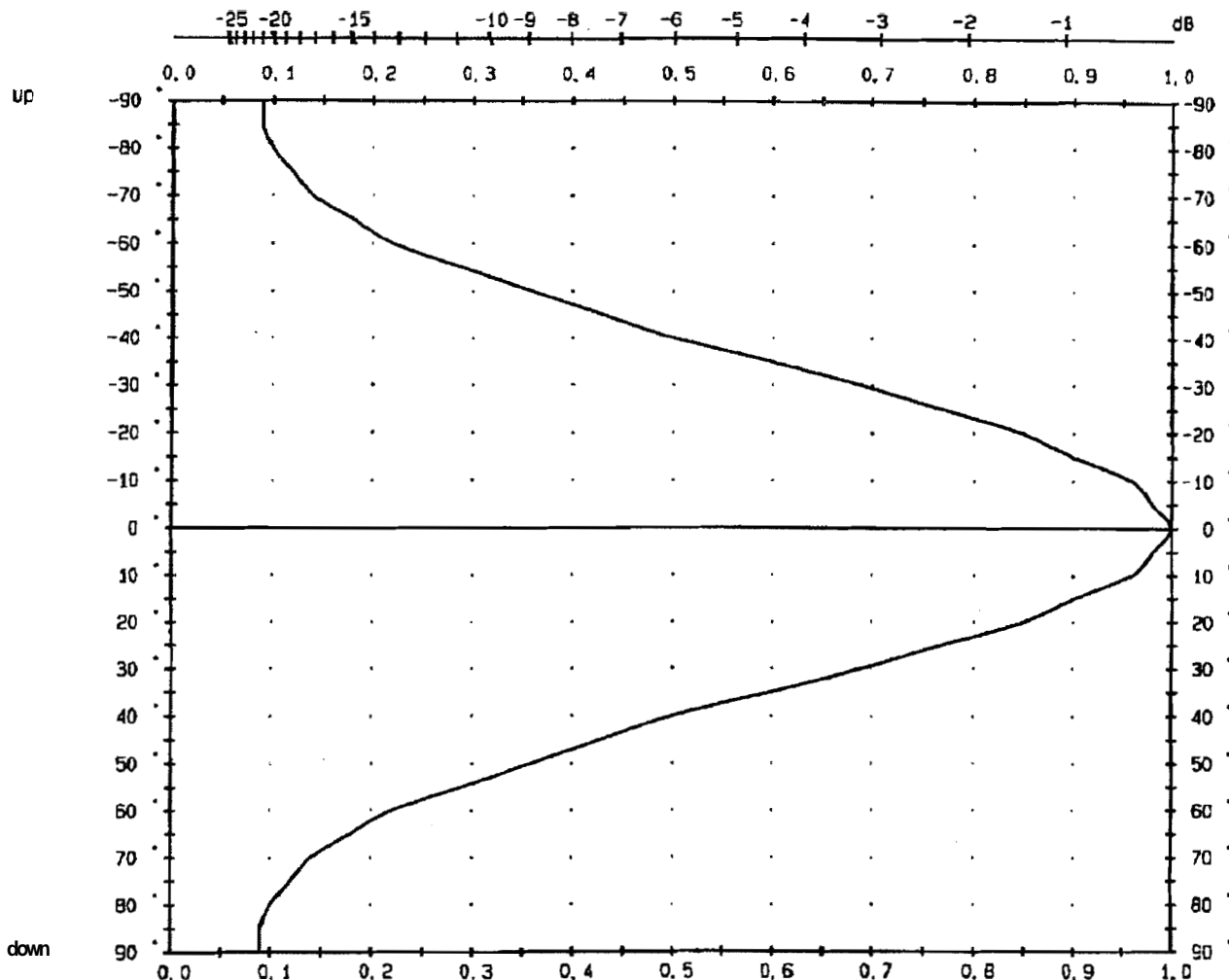
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WMFO - FM
 freq: 91.5 MHz
 Single K53 32 187 panel Antenna
 attached to Rohn-25 tower

Vertical Polarization
 Horizontal Plane

Angle	Field	Rel.dB	dBd	PwrMult	Angle	Field	Rel.dB	dBd	PwrMult
0	1.000	0.00	0.00	1.00	180	0.128	-17.86	-17.86	0.02
5	0.980	-0.18	-0.18	0.96	185	0.130	-17.75	-17.75	0.02
10	0.960	-0.35	-0.35	0.92	190	0.131	-17.65	-17.65	0.02
15	0.909	-0.83	-0.83	0.83	195	0.123	-18.24	-18.24	0.02
20	0.857	-1.34	-1.34	0.73	200	0.114	-18.86	-18.86	0.01
25	0.780	-2.16	-2.16	0.61	205	0.104	-19.70	-19.70	0.01
30	0.703	-3.06	-3.06	0.49	210	0.093	-20.63	-20.63	0.01
35	0.627	-4.06	-4.06	0.39	215	0.086	-21.36	-21.36	0.01
40	0.550	-5.19	-5.19	0.30	220	0.078	-22.16	-22.16	0.01
45	0.472	-6.53	-6.53	0.22	225	0.075	-22.56	-22.56	0.01
50	0.393	-8.11	-8.11	0.15	230	0.071	-22.97	-22.97	0.01
55	0.332	-9.58	-9.58	0.11	235	0.071	-22.97	-22.97	0.01
60	0.271	-11.34	-11.34	0.07	240	0.071	-22.97	-22.97	0.01
65	0.228	-12.82	-12.82	0.05	245	0.068	-23.41	-23.41	0.00
70	0.186	-14.61	-14.61	0.03	250	0.064	-23.88	-23.88	0.00
75	0.161	-15.86	-15.86	0.03	255	0.064	-23.88	-23.88	0.00
80	0.136	-17.33	-17.33	0.02	260	0.064	-23.88	-23.88	0.00
85	0.122	-18.31	-18.31	0.01	265	0.060	-24.36	-24.36	0.00
90	0.107	-19.41	-19.41	0.01	270	0.057	-24.88	-24.88	0.00
95	0.107	-19.41	-19.41	0.01	275	0.064	-23.88	-23.88	0.00
100	0.107	-19.41	-19.41	0.01	280	0.071	-22.97	-22.97	0.01
105	0.105	-19.62	-19.62	0.01	285	0.096	-20.35	-20.35	0.01
110	0.102	-19.83	-19.83	0.01	290	0.121	-18.34	-18.34	0.01
115	0.108	-19.33	-19.33	0.01	295	0.164	-15.70	-15.70	0.03
120	0.114	-18.86	-18.86	0.01	300	0.207	-13.68	-13.68	0.04
125	0.113	-18.94	-18.94	0.01	305	0.278	-11.10	-11.10	0.08
130	0.112	-19.02	-19.02	0.01	310	0.350	-9.12	-9.12	0.12
135	0.108	-19.37	-19.37	0.01	315	0.432	-7.29	-7.29	0.19
140	0.103	-19.74	-19.74	0.01	320	0.514	-5.78	-5.78	0.26
145	0.098	-20.18	-20.18	0.01	325	0.604	-4.39	-4.39	0.36
150	0.093	-20.63	-20.63	0.01	330	0.693	-3.19	-3.19	0.48
155	0.090	-20.96	-20.96	0.01	335	0.772	-2.25	-2.25	0.60
160	0.086	-21.31	-21.31	0.01	340	0.850	-1.41	-1.41	0.72
165	0.100	-20.00	-20.00	0.01	345	0.900	-0.91	-0.91	0.81
170	0.114	-18.86	-18.86	0.01	350	0.951	-0.44	-0.44	0.90
175	0.121	-10.34	-18.34	0.01	355	0.975	-0.22	-0.22	0.95



frequency in MHz 91.500
 azimuth in .0
 omni-dir in dBd .98

Tufts University WMFO

<p>S C A L A Medford Oregon</p>	<p>One K53 32 187 arratched to Rohn-25 tower</p>	<p>Typ Nr.</p>
<p>MB 2.12. 4 15: 48</p>	<p>freq: 91.5 MHz. Vertical polarization</p>	<p>B1.:</p>

5.09 – The Public Inspection File

Section 73.3526 of the FCC Rules requires every licensee of an AM, FM or TV station in the commercial broadcast services to maintain for public inspection a file containing certain materials. Section 73.1870 of the rules does not specifically assign the duties of maintaining this file to the chief operator. However, in this day and age of down sizing this task frequently becomes one of the responsibilities assigned to the person held responsible for the technical operation of the station. This section of this publication is written to aid the chief operator, or other person assigned, to set up and maintain this file.

The Public Inspection File is required to be located at the main studio of the radio station and must be available for inspection by any member of the public during normal business hours. There should be several employees of the station familiar with the location of the file and how it is organized. Someone should be available at all times during normal business hours to honor a request for examination of material contained in the file. Any perusing of the file by a member of the public should be supervised by a station employee to assure that material is not removed.

The receptionist or any other employee that a member of the public is apt to first encounter should be made aware that a person making a request to see the Public Inspection File can be asked for identification but not be denied access to the file if that person refuses to provide same. You may not ask what organization a person represents. You may not ask why they want to see the file.

All or part of the material in the file may be kept on a computer database provided that a computer terminal is made available at the studio to persons who wish to review the file. Material in the file must be made available for printing, in the case of a computer database, or reproduction, in the case of hard copy. You may charge a reasonable price for the reproduction of documents and may request a deposit or credit card information of anyone wishing to have copies made. Generally, a request for copies of documents must be honored within seven days.

The station is required to keep in the file a copy of the most recent version of The Public and Broadcasting. This is a paper back manual, issued by the FCC, that explains the contents of the file and how to extract information from it.

When a station changes ownership, the new owner should make sure that the required documents are in the file before closing. The rules provide that the new owner is responsible for maintaining the file, including documents generated under the previous ownership, for the time period required by the rules.

The material that is required to be retained in the Public Inspection File by commercial radio stations is as follows:

~~A copy of the current~~ authorization to operate the radio station. Normally this is the FCC station license along with the renewal card. Under some circumstances this will be a copy of the Construction Permit and program test authority. These materials must be retained until replaced by a new authorization at which time it must be placed in the file.

need lic.
certificate
copy

Need 2006 - App & License

- A copy of all applications submitted to the FCC for filing together with all related materials. This will include any exhibits prepared in support of these applications until the renewal is granted. In addition, copies of any decisions handed down by the FCC, reference the application, must be available in the file. If a petition to deny the application has been filed a statement to that effect, along with the name and address of the person filing the petition, must also be kept in the file.

Assuming none

A copy of every written citizen agreement must be retained in the file as long as it is in force. A citizen agreement is a written understanding between the licensee of the station and one or more citizens or citizen groups that deals with goals or proposed practices affecting the station's operation in areas such as - but not limited to - employment or programming.

A copy of any service contour maps ^{w/in 2000 app} that have been submitted to the FCC, as part of Any application must be retained in the file as long as they reflect current accurate information. In addition, information in any application showing the street location of the main studio and transmitter locations must be in the file. These too must be retained in the file as long as they reflect current accurate information.

Last Rpt in 2001 w/ Bylaws updated 2006

A copy of the most recent complete ownership report that was filed with the FCC along with any statements certifying that this report is accurate and complete. All materials supporting this report must also be retained. When a new ownership report is filed with the FCC it should replace the old material in the file. See Section 73.3616 and 73.3615 of the FCC Rules for contracts that must be available in the file.

Assuming none?

Every station is required to maintain, in the Public Inspection File, a complete and orderly record of all requests for broadcast time made by or on behalf of a candidate for public office, together with an appropriate notation showing the disposition made by of such a requests, and the charges made, if any, if the request is granted. The "disposition" includes the schedule of time purchased, when spots actually aired, the rates charged, and the classes of time purchased.

Very important! → When free time is provided for use by, or on behalf of candidates, a record of the free time provided must be placed in the Public Inspection File. All political record required to be retained for a period of two years. As soon as possible means immediately absent unusual circumstances. Many state broadcaster associations and the NAB can provide forms on which to record the required information.

Exempt

An annual EEO report containing a list of all full time vacancies filled during the last year, for each vacancy, the recruitment source(s) utilized to fill the vacancies identified by name, address, contact person and telephone number; the recruitment source that referred the hire; data reflecting the total number of persons interviewed for full time vacancies during the preceding year and the total number of interviewees referred by each recruitment source; a list of the job outreach initiatives (73.2080 (c) (2) taken during the past year.

✓

A copy of the most recent version of The Public and Broadcasting - A Procedure Manual must be available in the Public Inspection File.

All written comments and suggestions (letters and e-mail) received from the public regarding operation of the station must be maintained in the local public Inspection File for a period of three years, unless the letter writer has requested that the letter not be made public or when the licensee feels that it should be excluded from public inspection because of the nature of its content, such as a defamatory or obscene letter.

Any material related to an FCC investigation or complaint must be retained in the file until the station is notified in writing that the material may be discarded.

Every three months a list of programs that have provided the station's most significant treatment of community issues during the preceding three month period must be prepared (Figure 5-16).^{*} The list for each calendar quarter is to be filed by the tenth of the succeeding calendar quarter (e.g., January 10 for the quarter October-December, April 10 for the quarter January-March, etc.). The list must include a brief narrative describing what issues were given significant treatment and the programming that provided this treatment. The description of the programs should include, but is not limited to, the time, date, duration and title of each program in which the issue was treated. A list of public service announcements placed in the file is not sufficient to comply with this section of the rules. See the inset for an example of how to prepare a community issues list. This material must be kept in the file until the next renewal of the station license has been granted.

The licensee of every radio station is required to broadcast certain public notice announcements when they file an application for renewal of their station license. Within seven days of the airing of the last of those announcements the station must place in the Public Inspection File a certification statement detailing the dates and times these announcements were made along with the actual text of the announcement.

All radio time brokerage agreements must be placed in the Public Inspection File and kept there as long as that agreement is in force. Time brokerage agreements include contracts where a third party buys a block of time and resells it. Local Marketing Agreements that a third party has with the station or any such agreement that the station has with another station also fall into the category of required documents.

The public Inspection File should be kept in an orderly manner so that materials can readily be identified and pulled for a member of the public who wishes to review them. The SRE recommends that materials not specifically required to be in the file be kept out of it. This makes the file easier to manage and precludes the possibility of confidential information not required to be available from falling into the hands of unauthorized individuals or groups.

The FCC probably issues more notices of monetary forfeitures for violations of the Public Inspection File rules than for any other single problem. The SBE recommends that file be reviewed on a quarterly basis for proper content, completeness and timeliness of the material that are contained therein.

The SBE recommends that the person responsible for keeping the Public Inspection File become thoroughly familiar with the appropriate section of the FCC Rules. In addition, they should avail themselves of the advice of the station's FCC Attorney.

These are the Public Inspection File requirements for commercial AM and FM broadcast stations. The text of this section of the rules (FCC 73.3526) in effect at the time of publication of this handbook can be found in Appendix #1. Similar Public Inspection File rules (FCC 73.3527) apply to non-commercial AM and FM stations. The text of this section of the rules in effect at the time of publication of this handbook also can be found in Appendix #1.

*Figure 5-16 A typical Community Issues Log (example)

Community Issues/Program Lists

10-01-04 * 7:15AM * 15 minutes
This Week In Sweetville

Traffic Congestion in the Downtown Area – Sweetville Police Chief Sam Smith was interviewed on the subject of the severe traffic congestion in the downtown area caused by construction on the Interstate. He offered the comment that the city council was considering making Main Street one way north and Ajax Street one way south until the construction is complete.

10-02-04 * 12:00 Noon * 5 minutes
Names in the News

Underage Drinking at the Sports Arena – Chesterville Mayor Bill Brown was interviewed about the ongoing problem of teenage consumption of alcoholic beverages during baseball games at the Chesterville Sports Arena. The mayor personally assured the public that every effort is being made to stem the problem. Additional plain clothes policemen as well as uniformed officers will be assigned to the arena for every sporting event.

10-07-04 * 3:10 PM * 3 minutes
The Bill Hill Show

The Need for Blood Donors – Doctor Oliver Stone presented a plea on behalf of the Centerville Hospital of the urgent need for additional blood donors. This year's blood supply has fallen short by 30 percent of what is needed.

Other stuff to check/talk about

Sign on/off - ^{no music!} need printed in studio

EAS - Info in studio?

~~Report~~

Non Commercial Content

Ob/Indecency

PUBLIC INSPECTION FILE
OF
NONCOMMERCIAL RADIO STATIONS

- Section I of this outline describes the materials that must be placed in a noncommercial radio station's public inspection file and how long they must be retained in that file. In general, the materials described are those relevant to the current license term.
- Section II details a station's obligations to provide public access to the public inspection file.
- Note that a proceeding is "final" when the matter can no longer be appealed to or reconsidered by the FCC or the courts.

I. PUBLIC INSPECTION FILE CONTENTS AND
RETENTION REQUIREMENTS

A. Authorizations

1. Contents. The public inspection file must contain a copy of the current FCC authorization to construct or operate the station, as well as any other documents necessary to reflect any modifications of or conditions on such authorization.
2. Retention Period. These materials must be retained until replaced by a new authorization, at which time a copy of the new authorization and any related materials should be placed in the public inspection file.

B. FCC Applications

1. Contents. The public inspection file must include documentation relating to *any and all* applications concerning the station tendered for filing with the FCC, including applications for construction permits, license renewals and assignments or transfers of control (including *pro forma* assignments or transfers on FCC Form 316). For each application, the file should contain the following, where applicable:
 - a copy of the application;
 - all exhibits, letters and other documents filed with the application;

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- all amendments to the application;
- all documents incorporated by reference;
- supporting documentation of any points under the noncommercial comparative selection system claimed in the application;
- all correspondence between the applicant and the FCC regarding the application (including FCC post-cards on application status);
- a copy of any FCC decision regarding the application; and
- if a petition to deny the application has been filed with the FCC and served on the applicant, a statement noting that fact and giving the name and address of the petitioner.

2. Retention Period.

(a) Except for those applications noted in the following paragraphs, the application and related materials must be kept on file until final action has been taken on the application. When the FCC's action on the application becomes a final order, the application and related materials may be discarded (except for contour maps and main studio and transmitter location information, which must be retained, as discussed in Section I, Part C, below).

(b) In the case of an application for a new construction permit granted pursuant to a waiver and applications for assignment or transfer of license granted pursuant to a waiver, the application and related materials must be kept on file for so long as the waiver is in effect.

(c) In the case of a renewal application granted on a short-term basis, the application and related materials must be kept on file throughout the short-term license period and until the subsequent renewal proceeding has become final.

C. Contour Maps/Main Studio and Transmitter Locations

1. Contents. The public inspection file must contain copies of all service contour maps that have been submitted with any FCC application, together with any other information in the application showing service

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contours and/or main studio and transmitter locations. Location information includes the state, county, city, street address or other identifying information.

2. Retention Period. The public inspection file must contain copies of these documents as long as they reflect current, accurate information regarding the station.

D. Ownership Reports and Documents

1. Contents. The public inspection file must contain a copy of the most recent ownership report(s) filed by the licensee for the station. The public inspection file also must contain all subsequent filings that attest to the continued accuracy of the report(s). In addition, the public inspection file must include the following, where applicable:
 - all exhibits and letters filed with the ownership report(s);
 - all correspondence between the licensee and the FCC regarding the ownership report(s); and
 - either all contracts and other documents listed on the ownership report(s) or filed separately in-between ownership reports pursuant to Section 73.3613 of the Commission's Rules or an up-to-date list of such documents. If the latter, the licensee must be able to provide a copy of any such document within seven days of any request.
2. Retention Period. The public inspection file must contain copies of the ownership report(s) and Section 73.3613 documents (or list of documents) until the submission to the Commission of new complete ownership report(s) and the new report(s) and related documents (or list of documents) are placed in the public inspection file.

**E. Political Records/Sponsorship Identification1
Issues of Public Importance**

1. Contents.
 - a. FCC Political File Rules.

The FCC's rules specify that the following political records must be placed in the station's public inspection file:

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- records of all requests for broadcast time made by or on the behalf of a candidate for public office (whether or not time is actually purchased) together with a notation showing the disposition made by the station. If the request is granted, the file must identify the schedule of time provided (including lengths of spots), when the spots actually aired, the rates charged and the classes of time purchased; and
- records of all free time provided for use by or on behalf of a candidate for public office.

b. Sponsorship Identification.

Pursuant to the FCC's sponsorship identification rule, when material relating to a political matter or a matter involving the discussion of a controversial issue of public importance is broadcast, and a corporation, committee, association or other unincorporated group, or other entity, paid for or furnished the broadcast material, in addition to airing sponsorship identification as required by the rule, the station must place in its public inspection file a list of the chief executive officers or members of the executive committee or members of the board of directors of the corporation, committee, association or other unincorporated group, or other entity which sponsored the material.

Note that if the broadcast is originated by a network, the sponsorship list may, instead, be retained at the headquarters office of the network or at the location where the originating station maintains its public inspection file.

2. Retention Period. These records must be placed in the public inspection file immediately and must be kept on file for two years. The FCC rules calculate the two-year retention period from the date the request was made or the time provided, whichever is later.

F. Equal Employment Opportunity (“EEO”)

1. Contents.

a. EEO Public File Report.

Unless exempt pursuant to the small station exemption, on each anniversary of the date on which a station is due to file its renewal application, a copy of the station's annual EEO public file report must be placed in the station's public inspection file. The annual EEO public file report must also be posted on the station's web site, if the

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station maintains one. The annual EEO public file report should specify:

- all full-time vacancies filled by the station's employment unit during the preceding year, identified by job title;
- for each such vacancy, the recruitment source(s) utilized to fill the vacancy, identified by name, address, contact person and telephone number (also listing, if applicable, organizations entitled to notification pursuant to Section 73.2080 of the FCC's rules, which such organizations should be separately identified);
- the recruitment source that referred the hiree for each full-time vacancy during the preceding year;
- data reflecting the total number of persons interviewed for full-time vacancies during the preceding year and the total number of interviewees referred by each recruitment source utilized in connection with such vacancies; and
- a list and brief description of initiatives undertaken pursuant to Section 73.2080(c)(2) of the FCC's rules during the preceding year

Note that religious radio broadcasters who establish religious affiliation as a qualification for a job position are not required to comply with the FCC's EEO recruitment requirements with respect to that job position or positions, but will be expected to make reasonable, good faith efforts to recruit applicants who are qualified based on their religious affiliation.

The Media Bureau has issued an interim policy that permits licensees to base their EEO public file report on activity that concludes up to ten days prior to the report's due date; in such event, activities occurring between the reporting cut-off date and the due date should be reported on the subsequent annual report. Note that if the current licensee acquires the station pursuant to the grant of an FCC Form 314 or 315 during the twelve months prior to the filing of the EEO public file report, then the period covered by the report commences with the date of acquisition/transfer.

Other documentation that a station must retain relating to its on-going EEO efforts need not be placed in the public inspection file. Such documentation should be maintained in internal, non-public files, so that the licensee has the necessary documentation to complete its

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annual, mid-term and renewal **EEO** reports and to respond to the FCC in the event the station is the subject of a random FCC audit.

b. Broadcast **EEO** Public Program Report (FCC Form 396).

All broadcast stations, including those that are part of an employment unit with fewer than five full-time employees, at the time they file the station's renewal application, must file with the FCC, and place a copy in the station's public inspection file, of the station's Broadcast **EEO** Public Program Report on FCC Form **396**.

c. Mid-Term Broadcast Statement of Compliance (FCC Form 397).

Broadcast stations that are part of an employment unit with more than ten full-time employees must file with the FCC on the four year anniversary of their license renewal application due date, and must place a copy in the station's public inspection file, of the station's mid-term Broadcast Statement of Compliance on FCC Form **397**.

2. Retention Period. The public inspection file must contain the **EEO** reports until action on the station's next license renewal application has become final.

G. FCC Manual

1. Contents. The public inspection file must contain a copy of the most recent version of the FCC's manual, *The Public and Broadcasting*. The most recent version (June **1999**) is available on the FCC's web site (http://www.fcc.gov/mb/audio/decdoc/public_and_broadcasting.html).
2. Retention Period. The most recently published copy of the procedure manual must be kept in the public inspection file indefinitely.

H. FCC Investigations or Complaints

1. Contents. Any material having a substantial bearing on a matter which is the subject of an FCC investigation or complaint to the FCC of which the licensee has been advised must be maintained in the public inspection file.
2. Retention Period. These materials must be retained in the public inspection file until the FCC notifies the licensee in writing that the material may be discarded.

I. Issues/Program Lists

1. Contents. Each nonexempt noncommercial station is required to place in its public inspection file by the tenth day following each calendar quarter (that is, by April 10 for the quarter January-March, July 10 for the quarter April-June, October 10 for the quarter July-September, and January 10 for the quarter October-December) of each year an Issues/Programs List listing programs that have provided the station's most significant treatment of community issues during the calendar quarter. Each quarterly report should include:
 - a brief narrative description of the community issues given significant treatment during the quarter; and
 - a description of the programming addressed to each issue, including the date, time, duration and title of each program in which the issue was treated.
2. Retention Period. The public inspection file must contain these records until action on the station's next license renewal application has become final.

J. Donor's Lists

1. Contents. The public inspection file must contain a complete list of donors supporting specific programs.
2. Retention Period. The donor list must be kept in the station's public inspection file for two years following the broadcast of the relevant program.

K. Renewal Public Notice Announcements

1. Contents. When a licensee files a renewal application or a major amendment to a renewal application, it must place in the public inspection file a certification that it has provided the required public notice announcements. The certification must be placed in the public inspection file within seven days of the last day of broadcast of the announcements and must include:
 - the dates and times that pre-filing and post-filing announcements were broadcast; and
 - the text of the announcement.

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2. Retention Period. The certification of the renewal announcements must be kept on file as long as the renewal application to which it refers also remains on file.

L. Items To Be Made Available at FCC Request

The following items should not be placed in the station's public inspection file, but should be maintained in the station's internal files in the event the FCC requests them:

- subchannel leasing agreements for Subsidiary Communications Authorization operation; and
- contracts with chief engineers.

II. PUBLIC INSPECTION FILE LOCATION AND ACCESSIBILITY REQUIREMENTS

A. Location of the Public Inspection File

The public inspection file must be maintained at the main studio of the station. A separate file should be maintained for each station for which an authorization is outstanding. An applicant for a new station or change of community must maintain its file at an accessible place in the proposed community of license or at its proposed main studio.

B. Access to the Public Inspection File

A station's public inspection file must be accessible to the public during regular business hours.

C. Paper Files or Database

The public inspection file may be maintained in paper form or, alternatively, all or part may be maintained in a computer database, as long as a computer terminal is made available to the public at the location of the file.

D. Printing/Reproduction

Material in the public inspection file must be made available for printing or machine reproduction upon request made in person. The station may specify the location for printing or reproduction, require the requesting party to pay the reasonable cost thereof, and may require guarantee of payment in advance (*e.g.*, by requiring a deposit, obtaining credit card information or any other reasonable method). Requests for copies must be fulfilled within a reasonable period of time, which the FCC states generally should not exceed seven days.

E. Access for a Station with its Main Studio and Public Inspection File Located Outside of the Station's Community of License

In addition to on-site access, a station with its main studio (and therefore its public inspection file) located outside its community of license must provide by mail copies of public inspection file documents when requested by telephone by an individual who resides within the geographic service area (primary service contour) of the station. Furthermore:

- the station must be prepared to assist members of the public in identifying the documents they may ask to be sent to them by mail, for example, by describing to the caller, if asked, the period

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covered by a particular report and the number of pages included in the report;

- the station must pay the postage to send the requested documents;
- the station can require that the requesting individual pay for the copies of public inspection file documents before they are mailed, except for the FCC's manual, *The Public and Broadcasting*, which must be sent free of charge, upon request.

Political file materials are exempt from the telephone request requirement.

Please contact Marissa Repp at **202-637-6845** or at mgrepp@hhlaw.com with any questions you may have concerning these requirements.

5.09 – The Public Inspection File

Section **73.3526** of the FCC Rules requires every licensee of an AM, FM or TV station in the commercial broadcast services to maintain for public inspection a file containing certain materials. Section **73.1870** of the rules does not specifically assign the duties of maintaining this file to the chief operator. However, in this day and age of down sizing this task frequently becomes one of the responsibilities assigned to the person held responsible for the technical operation of the station. This section of this publication is written to aid the chief operator, or other person assigned, to set up and maintain this file.

The Public Inspection File is required to be located at the main studio of the radio station and must be available for inspection by any member of the public during normal business hours. There should be several employees of the station familiar with the location of the file and how it is organized. Someone should be available at all times during normal business hours to honor a request for examination of material contained in the file. Any perusing of the file by a member of the public should be supervised by a station employee to assure that material is not removed.

The receptionist or any other employee that a member of the public is apt to first encounter should be made aware that a person making a request to see the Public Inspection File can be asked for identification but not be denied access to the file if that person refuses to provide same. You may not ask what organization a person represents. You may not ask why they want to see the file.

All or part of the material in the file may be kept on a computer database provided that a computer terminal is made available at the studio to persons who wish to review the file. Material in the file must be made available for printing, in the case of a computer database, or reproduction, in the case of hard copy. You may charge a reasonable price for the reproduction of documents and may request a deposit or credit card information of anyone wishing to have copies made. Generally, a request for copies of documents must be honored within seven days.

The station is required to keep in the file a copy of the most recent version of The Public and Broadcasting. This is a paper back manual, issued by the FCC, that explains the contents of the file and how to extract information from it.

When a station changes ownership, the new owner should make sure that the required documents are in the file before closing. The rules provide that the new owner is responsible for maintaining the file, including documents generated under the previous ownership, for the time period required by the rules.

The material that is required to be retained in the Public Inspection File by commercial radio stations is as follows:

A copy of the current authorization to operate the radio station. Normally this is the FCC station license along with the renewal card. Under some circumstances this will be a copy of the Construction Permit and program test authority. These materials must be retained until replaced by a new authorization at which time it must be placed in the file.

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- A copy of all applications submitted to the FCC for filing together with all related materials. This will include any exhibits prepared in support of these applications until the renewal is granted. In addition, copies of any decisions handed down by the FCC, reference the application, must be available in the file. If a petition to deny the application has been filed a statement to that effect, along with the name and address of the person filing the petition, must also be kept in the file.

A copy of every written citizen agreement must be retained in the file as long as it is in force. A citizen agreement is a written understanding between the licensee of the station and one or more citizens or citizen groups that deals with goals or proposed practices affecting the station's operation in areas such as – but not limited to – employment or programming.

A copy of any service contour maps that have been submitted to the FCC, as part of Any application must be retained in the file as long as they reflect current accurate information. In addition, information in any application showing the street location Of the main studio and transmitter locations must be in the file. These too must be retained in the file as long as they reflect current accurate information.

A copy of the most recent complete ownership report that was filed with the FCC along with any statements certifying that this report is accurate and complete. All materials supporting this report must also be retained. When a new ownership report is filed with the FCC it should replace the old material in the file. See Section 73.3616 and 73.3615 of the FCC Rules for contracts that must be available in the file.

Every station is required to maintain, in the Public Inspection File, a complete and orderly record of all requests for broadcast time made by or on behalf of a candidate for public office, together with an appropriate notation showing the disposition made by of such a requests, and the charges made, if any, if the request is granted. The "disposition" includes the schedule of time purchased, when spots actually aired, the rates charged, and the classes of time purchased.

When free time is provided for use by, or on behalf of candidates, a record of the free time provided must be placed in the Public Inspection File. All political record required to be retained for a period of two years. As soon as possible means immediately absent unusual circumstances. Many state broadcaster associations and the NAB can provide forms on which to record the required information.

An annual EEO report containing a list of all full time vacancies filled during the last year, for each vacancy, the recruitment source(s) utilized to fill the vacancies identified by name, address, contact person and telephone number; the recruitment source that referred the hiree; data reflecting the total number of persons interviewed for full time vacancies during the preceding year and the total number of interviewees referred by each recruitment source; a list of the job outreach initiatives (73.2080 (c) (2) taken during the past year.

A copy of the most recent version of The Public and Broadcasting – A Procedure Manual must be available in the Public Inspection File.

All written comments and suggestions (letters and e-mail) received from the public regarding operation of the station must be maintained in the local public **Inspection** File for a period of three years, unless the letter writer has requested that the letter not be made public or when the licensee feels that it should be excluded from public inspection because of the nature of its content, such as a defamatory or obscene letter.

Any material related to an FCC investigation or complaint must be retained in the file until the station is notified in writing that the material may be discarded.

Every three months a list of programs that have provided the station's most significant treatment of community issues during the preceding three month period must be prepared (Figure 5-16).^{*} The list for each calendar quarter is to be filed by the tenth of the succeeding calendar quarter (e.g., January 10 for the quarter October-December, April 10 for the quarter January-March, etc.). The list must include a brief narrative describing what issues were given significant treatment and the programming that provided this treatment. The description of the programs should include, but is not limited to, the time, date, duration and title of each program in which the issue was treated. A list of public service announcements placed in the file is not sufficient to comply with this section of the rules. See the inset for an example of how to prepare a community issues list. This material must be kept in the file until the next renewal of the station license has been granted.

The licensee of every radio station is required to broadcast certain public notice announcements when they file an application for renewal of their station license. Within seven days of the airing of the last of those announcements the station must place in the Public Inspection File a certification statement detailing the dates and times these announcements were made along with the actual text of the announcement.

All radio time brokerage agreements must be placed in the Public Inspection File and kept there as long as that agreement is in force. Time brokerage agreements include contracts where a third party buys a block of time and resells it. Local Marketing Agreements that a third party has with the station or any such agreement that the station has with another station also fall into the category of required documents.

The public Inspection File should be kept in an orderly manner so that materials can readily be identified and pulled for a member of the public who wishes to review them. The SBE recommends that materials not specifically required to be in the file be kept out of it. This makes the file easier to manage and precludes the possibility of confidential information not required to be available from falling into the hands of unauthorized individuals or groups.

The FCC probably issues more notices of monetary forfeitures for violations of the Public Inspection File rules than for any other single problem. The SBE recommends that file be reviewed on a quarterly basis for proper content, completeness and timeliness of the material that are contained therein.

The SBE recommends that the person responsible for keeping the Public Inspection File become thoroughly familiar with the appropriate section of the FCC Rules. In addition, they should avail themselves of the advice of the station's FCC Attorney.

These are the Public Inspection File requirements for commercial AM and FM broadcast stations. The text of this section of the rules (FCC 73.3526) in effect at the time of publication of this handbook can be found in Appendix #1. Similar Public Inspection File rules (FCC 73.3527) apply to non-commercial AM and FM stations. The text of this section of the rules in effect at the time of publication of this handbook also can be found in Appendix #1.

*Figure 5-16 A typical Community Issues Log (example)

Community Issues/Program Lists

10-01-04 * 7:15AM * 15 minutes
This Week In Sweetville

Traffic Congestion in the Downtown Area – Sweetville Police Chief Sam Smith was interviewed on the subject of the severe traffic congestion in the downtown area caused by construction on the Interstate. He offered the comment that the city council was considering making Main Street one way north and Ajax Street one way south until the construction is complete.

10-02-04 * 12:00 Noon * 5 minutes
Names in the News

Underage Drinking at the Sports Arena – Chesterville Mayor Bill Brown was interviewed about the ongoing problem of teenage consumption of alcoholic beverages during baseball games at the Chesterville Sports Arena. The mayor personally assured the public that every effort is being made to stem the problem. Additional plain clothes policemen as well as uniformed officers will be assigned to the arena for every sporting event.

10-07-04 * 3:10 PM * 3 minutes
The Bill Hill Show

The Need for Blood Donors – Doctor Oliver Stone presented a plea on behalf of the Centerville Hospital of the urgent need for additional blood donors. This year's blood supply has fallen short by 30 percent of what is needed.

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