



Texas Association of Broadcasters

Alternative Broadcast Inspection Program – Common Deficiencies

(By Dick Pickens, TAB ABIP Inspector)

TAB ABIP inspector Dick Pickens, a 50+ year veteran of the broadcast industry, has been part of TAB’s inspection team from the very beginning in 1997.

Pickens has seen a wide variety of deficiencies in the past 14 years of reviewing stations for TAB, but there are some that are pretty common.

Station logs aren’t complete/chief operator has not approved them

Current regulations require that the EAS logs and tower light logging be included in the “Station Log.” The Chief Operator must review, sign (not initial), and date the signature weekly under FCC regulation 73.1870(c)(3).

Pickens recommends that stations print logs containing a line such as: “I have inspected this log and certify that the station was operating in accordance with the station authorization and with applicable FCC Rules and Regulations. Any exceptions or comments are noted below.”

Signature of Chief Operator or Designee	Date of Approval	Comments

Tower light alarm test during each calendar quarter

Such test may require deactivating at least one strobe or beacon and observing the alerting system. If a station leases space on a lighted tower it likely has a secondary responsibility, so stations need to be certain the owner is meeting all lighting requirements or a station could be fined under FCC 17.47.

No equipment performance measurements

Whenever a new transmitter is installed, the FCC requires such measurements be available for two years. Of course it is wise to keep any such important records in a station’s possession for as long as the station uses that equipment. (See FCC 73.1590)

No “Schedule of Maintenance and Calibrations”

A posted schedule is recommended for each transmitter location, with appropriate logging of each such activity as performed. Maintenance logs should be kept at each transmitter site as repairs and other services are conducted. These become a part of the official Station Log. Regular maintenance and calibration entries on that log are probably sufficient, but a posted schedule is wise. Be certain station maintenance logs are available. Don’t let the contract engineer just keep notes in their computer without giving your station a printout. (See FCC FM Self-Inspection Checklist IV, F)

FAA phone number not available to operators

The 800 number for notifying of light failures (877-487-6867) must be available, preferably posted at the control point and at the transmitter. Better yet, print it on the Station Log form. (See FCC 17.48)

List of contracts is not in the Public File

The FCC’s self-inspection checklists require the Public File to contain the most recent Form 323 (Ownership Report). It also requires a list of all contracts described in that Ownership Report. But Pickens sometimes finds that the Form 323 report does not actually list all required contracts (see FCC 73.3613(a) for enumeration of the required contracts). Some Form 323 preparers simply type “ON FILE” in that box on the form. Therefore the required list is not in the report and therefore is not technically present in the Public File. Some Form 323 reports for group ownership list so many stations that it is almost impossible to actually find the list of contracts applicable to this station. So Pickens recommends a list be put on a separate paper in a folder entitled LIST OF CONTRACTS. The list must include date of execution and expiration date of each contract. If the actual contracts are not in the

Public File they must be readily available so that a station can provide a copy to a visitor upon request or within 7 days. Confidential information may be redacted from the contracts (See FCC FM Self Inspection Checklist Section I, Q, 22)

Receptionist and/or other staff not aware of public file procedures

The station's receptionist should be aware of the rules concerning the availability of the Public File. Upon Pickens' request to view one station's Public File, the receptionist responded (incorrectly) "you must have a contact in the station to see it." At another station a temporary employee was totally overwhelmed with her job and told Pickens "I have no idea what you are talking about and couldn't care less!" These answers would not be acceptable to visitors or to the FCC and could result in an FCC fine. Pickens suggests stations post a notice at the receptionist desk instructing the staff how to respond to such a request. Also a request form could be placed there for the visitor to fill out. There are FCC limits on what questions a station may ask a visitor, so Pickens recommends station ask their legal counsel for guidance.

Inadequate Issues/Programs reports

Pickens suggests stations review the [FCC's Self-Inspection Checklists](#) for guidance as well as consult with the station legal counsel. Most law firms with an FCC regulatory practice have a client memo on the Issues/Programs reports which feature sample suggested formats to use.

Pickens notes that many stations fail to include details of their special promotions such as fundraising for special charities, live remotes at public events, or even newscast items that highlight some community need. These qualify also. But Pickens cautions that the rules require the name of the program, the date, the time, the issue covered, and the duration of that program, feature, or aired event.

Contour maps

The station Public File must contain a copy of the official FCC contour map. Can't find the map? Pickens suggests checking the most recent FCC Form 301 filing as it must be part of it. If that form cannot be found, a copy of the contour map can be obtained from an official FCC transcription service or an engineering consultant can re-create one by computer. (See FCC 73.3526(e)(4) or 73.3527(e)(3) for more)

EAS monitoring

The Texas State EAS Plan requires stations to monitor either the Local Primary 1 or Local Primary 2 EAS station and maintain a log of required tests. The local NOAA station should be the second monitored EAS source. If a station cannot receive any of these, it should contact TAB for an alternate assignment and a Texas EAS waiver. Also, stations must have a copy of the Texas State EAS Plan in the control room alongside the FCC EAS Handbook. Copies of the local EAS plan, if one exists, should also be part of that collection.

Main Studio Rule/FCC 73.1125

The FCC requires, with some exceptions, that a "Main Studio" must be located within the station's city-grade contour or within 25 miles of the center of the community of license. It must have a paid management person on duty eight hours per day and a Public File. It must have a local telephone unless the active studio has a toll-free number from the city of license. It should have operational EAS equipment and be capable of going on the air with reasonable audio quality. If there is another station licensed to that same community which puts its city-grade coverage over a station's active studio, then the more distant studio is a legal main studio. Any other exception must be requested under sections (c) and (d) of the main studio rule. Pickens and TAB advises station to consult their legal counsel when in doubt.

Separate Public Files

Two or more co-located stations must keep their Public Files separate.

No RF Hazard Signs

If the station has not conducted an RF exposure study to determine hazards on and near the towers, such a study should be considered. These can be done by computer calculations or actual measurements. RF signs with the appropriate colored triangle are required on gates to the property as well as the tower fence, tower base and/or transmitter building. Depending upon the results of an RF study, it might be wise to maintain a sign-in / sign-out logbook certifying that staff, visitors, and tower climbers have read and understand the RF safety rules for the site and know of any possible "hot spots" that tests may have indicated. Any Incident Reports should be entered into the logbook in detail. RF hazards are not on the FCC Checklist, but these matters are important to avoid future OSHA or FCC fines as well as troublesome complaints or litigation. (See FCC Bulletin OET-65A effective September 1, 2000)

Failure to paint coaxial cables on the outside of tower

All external cables, conduits, etc. must be painted the same color as the paint band on which they are attached. [See FCC Checklist Sec II (D) NOTE]

Efficiency Factor not available

This number, expressed in percentage, is needed to calculate transmitted power by the indirect method. The number should be posted or readily available.

No E-mail in Public File

E-mail correspondence from the public must now be included alongside letters from the public. The FCC grants no excuses for their absence.

Station has a renewal card but no actual copy of FCC License

The card alone is NOT a license.