

PUBLIC NOTICE

Federal Communications Commission ■ 1919 M Street, NW. ■ Washington, D.C. 20554



BUDGET BUREAU APPROVAL
Number 52-R014, 16, 27, 28

19880 - B
FCC 68-847
August 22, 1968

ASCERTAINMENT OF COMMUNITY NEEDS
BY BROADCAST APPLICANTS
(Part 1, Sections IV-A and IV-B, the Programming
Sections of Radio and TV Application Forms)

The Commission issues this Public Notice to provide broadcast applicants with a better understanding of the showing called for in response to Part 1, Sections IV-A and IV-B, the programming sections of application forms. Deficient showings delay definitive action on applications and impose a costly workload burden on the Commission.

In a recent case, Minshall Broadcasting Company, Inc. (petition to enlarge issues) 11 FCC 2d 796 (1968), the Commission reiterated the four elements of the showing to be made in response to Part 1:

- (a) Full information on the steps the applicant has taken to become informed of the real community needs and interests of the area to be served.
- (b) Suggestions which the applicant has received as to how the station could help meet the area's needs.
- (c) The applicant's evaluation of those suggestions.
- (d) The programming service which the applicant proposes in order to meet those needs as they have been evaluated.

In another recent case, Andy Valley Broadcasting System, Inc. (petition to deny) FCC 68-290 (1968), the Commission held that a survey of community needs is mandatory and that "applicants, despite long residence in the area, may no longer be considered, ipso facto, familiar with the programming needs and interests of the community."

Before detailing the information needed in the four elements set forth above, it is appropriate to state our belief that if the processes of Part 1 are carried out in good faith, the programming service will be rooted in the people whom the station is obligated to serve and who will be in a much better position to see that the obligation to them is fulfilled, thus lessening the enforcement burden of the Commission.

(over)

Part 1, Question 1.A., requires consultation with leaders in community life -- public officials, educators, religious, the entertainment media, agriculture, business, labor, professional and eleemosynary organizations, and others who bespeak the interests which make up the community. Report and Statement of Policy Re: Commission En Banc Program Inquiry, 20 RR 1902.

Consultations with community leaders: Such consultations are to help determine the needs of the community from the standpoint of the group represented by the leader being consulted; should include a representative range of groups and leaders to give the applicant a better basis for determining the total needs of the community; and should identify them by name, position and organization. The purpose of such consultations should be to elicit constructive information concerning community needs, and not mere approval of existing or pre-planned programming.

Suggestions received: The second of the above four elements is largely self-explanatory, but, importantly, the listing should include the significant suggestions as to community needs received through the consultations with community leaders, whether or not the applicant proposes to treat them through its programming service.

Applicant's evaluation: What is expected of the applicant is that he will evaluate the relative importance of those suggestions and consider them in formulating the station's over-all program service.

Programming service proposed to meet the needs as evaluated: The fourth element set out in Minshall should be set out in response to Question 1.C., and calls for relating the program service to the needs of the community as evaluated, i. e., what programming service is proposed to meet what needs.

The foregoing information is also expected of all applicants for increased facilities serving a substantial amount of new area or population. KTBS, Inc., 1 RR 2d 1054 (1964).

Section 1.526 of the Commission Rules requires licensees of broadcast stations to keep on file locally for public inspection a copy of its applications (which include Sections IV-A and IV-B) as well as exhibits, letters, other documents, and correspondence with the Commission pertaining to the application.

Action by the Commission August 21, 1968. Commissioners Hyde (Chairman), Bartley, Cox and Johnson, with Commissioner Lee dissenting.