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**Lloyd Ellis,**

*Program Specialist, Office of the General Counsel.*

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## FEDERAL COMMUNICATIONS COMMISSION

[DA 15-116]

### Media Bureau Designates May 29, 2015 as Pre-Auction Licensing Deadline; May 29, 2015 Deadline Also Applicable to Class A Television Stations Converting to Digital

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document announces that May 29, 2015 has been established as the Pre-Auction Licensing Deadline. This is the date by which full power and Class A facilities must be licensed or have on file with the Commission a license to cover application in order to be protected in the repacking process or be eligible for voluntary relinquishment of spectrum usage rights as part of the television incentive auction.

**DATES:** The Pre-Auction Licensing Deadline for all full power and Class A television facilities is May 29, 2015.

**FOR FURTHER INFORMATION CONTACT:** Kevin Harding or Evan Morris, Video Division, Media Bureau, Federal Communications Commission, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** The Media Bureau has designated May 29, 2015, as the Pre-Auction Licensing Deadline by which full power and Class A facilities must be licensed in order to be eligible for protection in the repacking process that will be part of the television incentive auction. The Pre-Auction Licensing Deadline will also determine which facilities are eligible for voluntary relinquishment of spectrum usage rights in the incentive auction. The term "licensed" encompasses both licensed facilities and those subject to a pending license to cover application (*i.e.*, FCC Form 302-DTV or 302-CA).

In the *Incentive Auction R&O*, the Commission concluded that all full power and Class A facilities that were licensed as of February 22, 2012, are entitled to mandatory protection. The Commission also concluded that the public interest would be served by extending discretionary protection to

certain categories of facilities that were not licensed as of February 22, 2012; however, with limited exception, it required that these facilities be licensed by the Pre-Auction Licensing Deadline. See *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, *Report and Order*, 29 FCC Rcd 6567 (2014) (*Incentive Auction R&O*). Although some of the facilities that are subject to discretionary protection have already been licensed, there are still authorized facilities in the following categories that remain unlicensed at this time including: (1) Full power facilities authorized in outstanding construction permits issued to effectuate a channel substitution for a licensed station. This includes construction permits for stations seeking to relocate from channel 51 pursuant to voluntary relocation agreements with Lower 700 MHz A Block licensees; (2) Modified facilities of full power and Class A stations that were authorized by construction permits granted on or before April 5, 2013, the date of the Media Bureau's *Freeze PN*, Media Bureau Announces Limitations on the Filing and Processing of Full Power and Class A Television Station Modification Applications, Effective Immediately, and Reminds Stations of Spectrum Act Preservation Mandate, *Public Notice*, 28 FCC Rcd 4364 (2013) (*Freeze PN*), or that have been authorized by construction permits that were granted after April 5, 2013 and are in compliance with the *Freeze PN*; and (3) Class A stations' initial digital facilities that were not initially licensed until after February 22, 2012, including those that were not authorized until after the *Freeze PN*. See *Incentive Auction R&O*, 29 FCC Rcd at 6657-65, paras 198-218.

Accordingly, all facilities in these discretionary protection categories, with limited exception for stations affected by the destruction of the World Trade Center, must be licensed or have an application for a license to cover the construction permit on file by May 29, 2015, in order for these facilities to be protected in the repacking process. Licensees affected by the destruction of the World Trade Center may elect to protect either their licensed Empire State Building facility or a proposed new facility at One World Trade Center so long as that new facility has been applied for and authorized in a construction permit granted by the Pre-Auction Licensing Deadline. See *Incentive Auction R&O*, 29 FCC Rcd at 6665-66, paras 219-220. Licensees must file a letter with the Commission making their election no later than May

29, 2015. A copy of the letter should also be emailed to Kevin Harding, Associate Division Chief, Video Division, Media Bureau at [kevin.harding@fcc.gov](mailto:kevin.harding@fcc.gov).

Furthermore, this constitutes notice of the last opportunity before the Pre-Auction Licensing Deadline for all full power and Class A licensees to modify their licenses to fix errors they have made in providing us their operating parameters and to have those modifications protected in the repacking process. Such modifications will be protected so long as a modification application that complies with the *Freeze PN* is filed and granted, and a license to cover application is filed, by May 29, 2015. The Media Bureau will release a subsequent Public Notice listing the facilities licensed by the Pre-Auction Deadline, as reflected in the Commission's records, and thereby eligible for protection in repacking or relinquishment in the incentive auction. Licensees will be required to certify in a Pre-Auction Technical Certification Form (FCC Form 2100, Schedule 381) that they have reviewed their authorization and underlying database technical information for their eligible facility, and to confirm that all information is correct with respect to actual operations or identify any discrepancies. See 79 FR 72000 (Dec. 4, 2014).

We also emphasize that, in order for a Class A digital facility to be afforded protection in the repacking process, it must be licensed by the Pre-Auction Licensing Deadline. While Class A licensees may wait until the September 1, 2015, digital transition deadline to complete construction and license their digital facilities, Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations, MB Docket No. 03-185, *Second Report and Order*, 26 FCC Rcd 10732, 10753-54, para. 45 (2011) (*LPTV DTV Second R&O*), those that do not have their digital facilities licensed by May 29, 2015, will be afforded protection based only on the coverage area and population served by their analog facilities. The Commission also clarified that it was not modifying the Class A digital transition deadline. See *Incentive Auction R&O*, 29 FCC Rcd at 6664-65, para. 218 and n. 688. Class A licensees may still seek a one extension of time to complete their digital transition facilities by submitting an application for extension of construction permit by May 1, 2015. See *LPTV DTV Second R&O*, 26 FCC Rcd at

10740, para. 15; *see also* 47 CFR 74.788(c). Nonetheless, the filing or grant of an extension application does not relieve Class A stations of the requirement that they license their digital facilities by the Pre-Auction Licensing Deadline in order for those facilities to be eligible for protection.

This action is taken by the Media Bureau pursuant to authority delegated by 47 CFR 0.283 of the Commission's rules.

Federal Communications Commission.

**Kevin Harding,**

*Associate Chief, Video Division, Media Bureau.*

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**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Sunshine Act Meeting**

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10:00 a.m. on Thursday, March 12, 2015, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters related to the Corporation's supervision, corporate, and resolution activities.

In calling the meeting, the Board determined, on motion of Vice Chairman Thomas M. Hoenig, seconded by Director Jeremiah O. Norton (Appointive), concurred in by Director Thomas J. Curry (Comptroller of the Currency), Director Richard Cordray (Director, Consumer Financial Protection Bureau), and Chairman Martin J. Gruenberg, that Corporation business required its consideration of the matters which were to be the subject of this meeting on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and

that the matters could be considered in a closed meeting by authority of subsections (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10).

Dated: March 12, 2015.

Federal Deposit Insurance Corporation.

**Valerie J. Best,**

*Assistant Executive Secretary.*

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**BILLING CODE P**

**FEDERAL ELECTION COMMISSION**

**[NOTICE 2015-04]**

**Filing Dates for the Mississippi Special Elections in the 1st Congressional District**

**AGENCY:** Federal Election Commission.

**ACTION:** Notice of filing dates for special elections.

**SUMMARY:** Mississippi has scheduled a Special General Election on May 12, 2015, to fill the U.S. House of Representatives seat held by the late Representative Alan Nunnelee. Under Mississippi law, a majority winner in a nonpartisan special election is declared elected. Should no candidate achieve a majority vote, a Special Runoff Election will be held on June 2, 2015, between the top two vote-getters.

Committees participating in the Mississippi special elections are required to file pre-and post-election reports. Filing dates for these reports are affected by whether one or two elections are held.

**FOR FURTHER INFORMATION CONTACT:** Ms. Elizabeth S. Kurland, Information Division, 999 E Street NW., Washington, DC 20463; Telephone: (202) 694-1100; Toll Free (800) 424-9530.

**SUPPLEMENTARY INFORMATION:**

**Principal Campaign Committees**

All principal campaign committees of candidates who participate in the

Mississippi Special General and Special Runoff Elections shall file a 12-day Pre-General Report on April 30, 2015; a Pre-Runoff Report on May 21, 2015; and a 30-day Post-Runoff Report on July 2, 2015.

If only one election is held, all principal campaign committees of candidates in the Special General Election shall file a 12-day Pre-General Report on April 30, 2015; and a Post-General Report on June 11, 2015. (See chart below for the closing date for each report).

**Unauthorized Committees (PACs and Party Committees)**

Political committees filing on a semi-annual basis in 2015 are subject to special election reporting if they make previously undisclosed contributions or expenditures in connection with the Mississippi Special General or Special Runoff Elections by the close of books for the applicable report(s). (See charts below for the closing date for each report.)

Committees filing monthly that make contributions or expenditures in connection with the Mississippi Special General or Special Runoff Elections will continue to file according to the monthly reporting schedule.

Additional disclosure information in connection with the Mississippi Special Elections may be found on the FEC Web site at [http://www.fec.gov/info/report\\_dates.shtml](http://www.fec.gov/info/report_dates.shtml).

**Disclosure of Lobbyist Bundling Activity**

Principal campaign committees, party committees and Leadership PACs that are otherwise required to file reports in connection with the special elections must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registant PACs that aggregate in excess of \$17,600 during the special election reporting periods. (See charts below for closing date of each period.) 11 CFR 104.22(a)(5)(v), (b).

**CALENDAR OF REPORTING DATES FOR MISSISSIPPI SPECIAL ELECTIONS**

Report	Close of books <sup>1</sup>	Reg./cert. & overnight mailing deadline	Filing deadline
<b>If Only the Special General Is Held (05/12/15), Quarterly Filing Committees Involved Must File</b>			
Pre-General .....	04/22/15	04/27/15	04/30/15
Post-General .....	06/01/15	06/11/15	06/11/15
July Quarterly .....	06/30/15	07/15/15	07/15/15
<b>If Only the Special General Is Held (05/12/15), Semi-Annual Filing Committees Involved Must File</b>			
Pre-General .....	04/22/15	04/27/15	04/30/15
Post-General .....	06/01/15	06/11/15	06/11/15