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2023 BROADCASTERS' CALENDAR

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2023 Calendar of Important Dates for Broadcasters¹

With the beginning of the new year, it is time to prepare for the regulatory dates and deadlines for broadcasters in the next twelve months. While the Federal Communications Commission remains divided with two Democrats and two Republicans, with one open seat, any major decisions with partisan policy differences may continue to be slow to occur. So, until that open seat is filled, don't look for any resolution of the long-pending Quadrennial Review looking to review the local radio ownership rules (and some TV ownership restrictions as well). But routine regulatory filings, dates, and deadlines remain to fill a broadcaster's calendar. These include the requirement to prepare an annual Equal Employment Opportunity ("EEO") public inspection file report, to upload quarterly issues/programs lists to the public file, and to pay annual FCC regulatory fees. This year will also bring the obligation applicable to all broadcasters – to file Biennial Ownership Reports by December 1. TV stations also have children's television obligations at the end of January.

To help keep track of many of these obligations, we have put together this advisory to preview many of the important FCC compliance-related dates, as well as other deadlines broadly applicable to significant portions of the broadcast industry. The calendar is not intended to cover all filing dates and deadlines that apply to every station or licensee. Instead, the calendar is meant to highlight some of the more critical deadlines that we can identify in advance. Remember, these dates can change, and new deadlines for action can be added, so be sure to keep up with the latest developments.

In the last four years, we have been dealing with the license renewal cycle that began in 2019 with radio renewal applications in the Washington, DC area. Since then, every other month, there were deadlines for renewal applications for radio or TV stations (or both) in certain states. Now, only TV renewals in four states remain - New York, New Jersey, Pennsylvania, and Delaware – with renewals for stations in the last two states being due in April. This will close the renewal filing cycle. The next renewal cycle does not begin until 2027.

2023, while not having many routine elections, will likely begin to see political activity leading to the 2024 Presidential election and, depending on the final dates that are set for the earliest 2024 primaries, we may even see Lowest Unit Charge windows opening late in the year (or in January 2024). But remember that there are always special elections and local

¹ This calendar is intended to be a reference guide to important deadlines but is not intended to be an exhaustive list of required filings and will not be updated throughout the year. Filing requirements may change over the year, and new filing requirements may be adopted.

elections that occur outside the big state and national election cycles. Special and local elections give rise to the same political broadcasting obligations that arise in connection with elections that occur in even-numbered years. With the FCC's recent scrutiny of station compliance with the political broadcasting rules, broadcasters need to be paying careful attention to the legal requirements that attach to any political advertising. This is particularly true for the requirements to upload information to your online public inspection file about candidate and issue advertising. Do not forget that some political file obligations arise with all political advertising – even outside the political windows. So, even though no lowest unit charge windows are listed on this calendar, remember that political obligations do apply.

In our calendar, we provide a description of the obligation, the due date, and the place where compliance is required (*e.g.*, through an FCC filing, an upload to the public file, or through some on-air obligation). Broadcasters have online public file obligations, and they must ensure that the required documentation (such as the annual EEO public inspection file report or quarterly issues/programs lists) is uploaded by the applicable deadline to the station's FCC-hosted online public file. The online public file makes these deadlines even more important, as interested parties (including the FCC) no longer need to come to your station and wade through paper files to review whether you have met your public file obligations. Instead, they can review your file anywhere there is an Internet connection and assess your compliance with the various public file obligations. In the last few years, we saw hundreds of stations enter into consent decrees with the FCC or pay fines because of a failure to timely upload documents to the public file. Don't let your station be caught with late uploads or an incomplete public file.

As the year unfolds, there will no doubt be other compliance deadlines that arise, including comment periods for various rulemakings. We try to provide information about many of these deadlines, and news about other regulatory issues, on our blog: www.broadcastlawblog.com. Check the blog regularly, sign-up for email alerts about new posts, or get in touch with any of the attorneys in our [Broadcast Group](#) for more information about the many deadlines and other issues that will be important to broadcasters in 2023.

With that background and an important reminder to check with your accountant, tax advisor, and local counsel on dates for filings such as those relating to local business and real estate fees and taxes, filing dates for Equal Employment Opportunity Commission submissions for large employers, and other requirements that may be applicable to your station(s), some important dates for 2023 are set out in the calendar that follows.

JANUARY 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
|--|---|--|--|
| January 1, 2023 | Compliance with the Audio Description Rules | On-Air Subchannel | TV Broadcasters Affiliated with the Top 4 Networks that Operate in DMAs 81-90 Must Comply With the Audio Description Rules that Previously Applied Only to Network-Affiliated Stations in the Top 70 markets |
| | Cost-of-Living Increase Effective for Rates for SoundExchange Royalties for Digital Streaming | SoundExchange | Broadcasters that are Streaming Noninteractive Audio through the Internet or on Mobile Apps |
| January 10, 2023 | Quarterly Issues/Programs List covering the 4 th Quarter of 2022—October 1, 2022 through December 31, 2022 | Stations' Online Public Inspection Files | Full Power and Class A Television Stations; Commercial and Noncommercial AM and FM Radio Stations |

JANUARY 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT ² | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
|---|---|--|---|
| January 10, 2023 cont. | Documentation of On-Air Fundraising by Noncommercial Educational Stations benefitting third parties conducted from October 1, 2022 through December 31, 2022 | Stations' Online Public Inspection Files | Noncommercial Educational Stations Not Affiliated with NPR or PBS that Conducted Third-Party On-Air Fundraising that Interrupted Their Normal Programming |
| | Documentation of Class A Television Continuing Eligibility for October 1, 2022 through December 31, 2022 | Stations' Online Public Inspection Files | Class A Television Stations |
| January 14, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—Must File Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending Nov. 30, 2022 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |

JANUARY 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
|--|--|--|---|
| January 30, 2023 | Annual Children’s Television Programming Report (Form 2100, Schedule H) | FCC | All Full-Power and Class A Television Stations |
| | Certification of Compliance with Commercial Limits in Children's Programming for January 1, 2022 through December 31, 2022 | Stations’ Online Public Inspection Files | All Full Power and Class A Television Stations |
| January 31, 2023 | Copyright Royalty Fee; Annual, Nonrefundable Minimum Fee of \$1,000 for Each Channel or Station | SoundExchange | Commercial and Noncommercial (Except Those Affiliated with NPR/CPB or Those Licensed to Educational Institutions) Webcasters (Including Broadcast Simulcasts) |

FEBRUARY 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
|--|---|--|---|
| February 1, 2023 | Broadcast Renewal Application (Form 2100, Schedule 303-S) and Equal Employment Opportunity Report (Form 2100, Schedule 396) | FCC | Television, Class A, LPTV and TV Translator Stations in New York and New Jersey |
| | Annual EEO Public File Report | Stations' Online Public Inspection File; Station Website | Radio and Television station Employment Units in Arkansas, Kansas, Louisiana, Mississippi, Nebraska, New Jersey, New York, and Oklahoma with 5 or more full-time employees |
| February 14, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—Must File Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending Dec. 31, 2022 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |
| February 28, 2023 | ETRS Form One to update EAS contact information in anticipation of the next Nationwide EAS Test | FCC | All EAS Participants including all Broadcasters |

MARCH 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
|--|---|---|--|
| <p style="text-align: center;">March 1, 2023</p> | <p style="text-align: center;">Effective Date of New Federal Election Commission sponsorship identification requirements for online political advertising</p> | <p style="text-align: center;">Online Political Advertising</p> | <p style="text-align: center;">All Online Federal Political Advertisers</p> |
| <p style="text-align: center;">March 12, 2023</p> | <p style="text-align: center;">Daylight Saving Time Begins</p> | <p style="text-align: center;">Station Engineer</p> | <p style="text-align: center;">AM Daytime-Only Radio Stations and Stations with Pre-Sunrise and/or Post-Sunset Authorizations Should Check Their Sign-On and Sign-Off Times on Their Current FCC Authorizations to Ensure Compliance. All times Listed on FCC Licenses are in Standard Time.</p> |

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| March 17, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—Must File Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending Jan. 31, 2023 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |
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APRIL 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
|--|---|--|--|
| April 3, 2023 | Broadcast Renewal Application (Form 2100, Schedule 303-S) and Equal Employment Opportunity Report (Form 2100, Schedule 396) | FCC | Television, Class A, LPTV and TV Translator Stations in Delaware and Pennsylvania |
| | Annual EEO Public File Report | Stations' Online Public Inspection File; Station Website | Radio and Television Station Employment Units in Delaware, Indiana, Kentucky, Pennsylvania, Tennessee, and Texas with 5 or more full-time employees |
| April 10, 2023 | Quarterly Issues/Programs List covering the 1 st Quarter—January 1, 2023 through March 31, 2023 | Stations' Online Public Inspection File | All Full-Power Radio, Full-Power Television, and Class A Television Stations |
| | Documentation of Class A Television Continuing Eligibility for January 1, 2023 through March 31, 2023 | Stations' Online Public Inspection File | Class A Television Stations |

APRIL 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
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| April 10, 2023 cont. | Documentation of On-Air Fundraising by Noncommercial Educational Stations Benefitting Third Parties Conducted from January 1, 2023 through March 31, 2023 | Stations' Online Public Inspection File | Noncommercial Educational Stations Not Affiliated with NPR or PBS that Conducted Third-Party On-Air Fundraising that Interrupted Their Normal Programming |
| April 14, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—Must File Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending February 28, 2023 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |

MAY 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
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| May 15, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—Must File Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending March 31, 2023 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |

JUNE 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
|--|--|--|---|
| June 1, 2023 | Annual EEO Public File Report | Stations' Online Public Inspection File; Station Website | Radio and Television Station Employment Units in Arizona, District of Columbia, Idaho, Maryland, Michigan, Nevada, New Mexico, Ohio, Utah, Virginia, West Virginia, and Wyoming with 5 or more full-time employees |
| June 14, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—Must File Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending April 30, 2023 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |

JULY 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
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| July 10, 2023 | Documentation of Class A Television Continuing Eligibility for April 1, 2023 through June 30, 2023 | Stations' Online Public Inspection File | Class A Television Stations |
| | Quarterly Issues/Programs List Covering the 2 nd Quarter—April 1, 2023 through June 30, 2023 | Stations' Online Public Inspection File | All Full-Power Radio, Full-Power Television, and Class A Television Stations |
| | Documentation of On-Air Fundraising by Noncommercial Educational Stations Benefitting Third Parties Conducted from April 1, 2023 through June 30, 2023 | Stations' Online Public Inspection File | Noncommercial Educational Stations Not Affiliated with NPR or PBS that Conducted Third-Party On-Air Fundraising That Interrupted Their Normal Programming |
| July 15, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—Must File Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending May 31, 2023 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |
| July 31, 2023 | Claims for royalties under cable compulsory license or satellite compulsory license for secondary transmissions during the preceding calendar year – separate forms must be filed in July for royalties from either cable or satellite television providers | Copyright Royalty Board | Television Stations Who Produced Programming Carried by Cable or Satellite Television Providers as a Distant Signal |

AUGUST 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
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| August 1, 2023 | Annual EEO Public File Report | Stations' Online Public Inspection File; Station Website | Radio and Television Station Employment Units in California, Illinois, North Carolina, South Carolina, and Wisconsin with 5 or more full-time employees |
| August 14, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—Must File Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending June 30, 2023 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |

SEPTEMBER 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
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| September 14, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—must file Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending July 31, 2023 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |
| September __, 2023 | Annual FCC Regulatory Fees Payment | FCC | Commercial Full-Power and Class A Television Stations, TV Translators, TV Boosters, and Commercial AM and FM Radio Stations, FM Translators, and FM Boosters* |

* The payment date of annual FCC regulatory fees is usually determined during the summer. In recent years, the deadline has been announced at the end of August. However, the deadline for payment is typically set for a date in mid to late September, as the fees must be paid before the government's new fiscal year begins on October 1.

OCTOBER 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
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| October 1, 2023 | Annual EEO Public File Report | Stations' Online Public Inspection File; Station Website | Radio and Television station Employment Units in Alaska, American Samoa, Florida, Guam, Hawaii, Iowa, Missouri, N. Mariana Islands, Oregon, Puerto Rico, and Washington with 5 or more full-time employees |
| October 1, 2023 | Retransmission consent/must-carry elections due. Stations are no longer required to send must carry/retransmission consent election notices to MVPDs via certified mail. Instead, they will be required to upload a single carriage election statement every three years to their online public inspection files | Station's Online Public Inspection File | Full-power Television stations ² |

² Certain LPTV stations may be considered a "Qualified Low Power Television stations" entitled to carriage. Only LPTV stations meeting requirements including being outside the Top 160 MSAs but within 35 miles of a cable headend, operating in counties with no full-power TV stations, and observing rules programming rules applicable to full-power TV stations can be considered. As these stations have no online public file, and as these rules are very detailed, LPTV stations that might be entitled to such carriage should consult their own attorney for making carriage claims.

OCTOBER 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
|--|--|---|---|
| October 10, 2023 | Documentation of Class A Television Continuing Eligibility for July 1, 2023 through September 30, 2023 | Stations' Online Public Inspection File | Class A Television Stations |
| | Quarterly Issues/Programs List covering the 3 rd Quarter—July 1, 2023 through September 30, 2023 | Stations' Online Public Inspection File | All Full-Power Radio, Full-Power Television, and Class A Television Stations |
| | Documentation of On-Air Fundraising by Noncommercial Educational Stations Benefitting Third Parties Conducted from April 1, 2023 through June 30, 2023 | Stations' Online Public Inspection File | Noncommercial Educational Stations Not Affiliated with NPR or PBS that Conducted Third-Party On-Air Fundraising that Interrupted Their Normal Programming |

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| October 15, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—Must File Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending August 31, 2023 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |
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NOVEMBER 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
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| November 5, 2023 | Daylight Saving Time Ends | Station Engineer | AM Daytime-Only Radio Stations and Stations with Pre-Sunrise and/or Post-Sunset Authorizations Should Check Their Sign-On and Sign-Off Times on Their Current FCC Authorizations to Ensure Compliance. All times Listed on FCC Licenses are in Standard Time. |
| November 14, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—Must File Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending September 30, 2023 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |

DECEMBER 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
|--|--|--|---|
| December 1, 2023 | FCC Form 2100, Schedule G, Annual DTV Ancillary/Supplementary Services Report Due—Stations That Provided Feeable Ancillary or Supplementary Services During the 12-Month Period Ending on September 30, 2023 | FCC | Commercial and Noncommercial Full-Power and Digital Class A Television Stations, Digital LPTV Stations That Have Fee-Based, Non-Broadcast Revenues from Their Digital Transmission Capabilities |
| | Biennial Broadcast Ownership Reports (FCC Form 323 or 323E) | FCC | All Full-Power Radio, Full-Power Television, LPTV, and Class A Television Stations must report on their ownership as of October 1 |
| | Annual EEO Public File Report | Stations' Online Public Inspection File; Station Website | Radio and Television Station Employment Units in Alabama, Colorado, Connecticut, Georgia, Maine, Massachusetts, Minnesota, Montana, New Hampshire, North Dakota, Rhode Island, South Dakota and Vermont with 5 or more full-time employees |

DECEMBER 2023

| DEADLINE FOR ACTION, FILING OR PAYMENT | WHAT ACTION IS REQUIRED or WHAT MUST BE FILED OR PAID? | WHERE MUST IT BE FILED OR PAID? | WHO MUST FILE OR ACT? |
|--|--|---------------------------------|---|
| December 12, 2023 | Compliance with new EAS rules requiring the broadcast of IPAWs-delivered CAP enabled messages instead of over-the-air alert when available | On-air during EAS alerts | All EAS Participants |
| December 15, 2023 | Copyright Royalty Fee: Monthly Report of Use and Monthly Usage Statement of Account Forms Due—Must File Monthly Report of Use and Monthly Usage Statement of Account Forms for the Month Ending October 31, 2023 | SoundExchange | Commercial and Noncommercial Webcasters and Broadcast Stations That Simulcast Programming over the Internet |