

WIKD-LP FCC Regulations Guide

This guide is intended to give a thorough explanation of the FCC regulations that a competent General Manager will need to be familiar with.

Technical Details

- The FCC has designated the FM band in America to consist of frequencies from 87.9MHz to 107.9MHz. The FCC has divided the FM band into 201 separate channels, with channel 200 being 87.9MHz and channel 300 being 107.9MHz. WIKD occupies channel 273.
- The FCC classifies stations based upon their ERP (Effective Radiated Power), and their HAAT (Height Above Average Terrain). The most powerful class of station is a C class station which is licensed for a minimum of 100KW ERP, with an antenna height of at least 451 meters HAAT.
- The FCC maintains regulations defining how close station may be to each other. These regulations are determined based primarily upon the stations ERP, and antenna HAAT. In addition, the FCC mandates different distances based upon whether stations are co-located on the same channel, and first, second, or third adjacent to each other.
 - WIKD's nearest co-channel station is W273CA-FM, "WLOQ 102.5—Orlando's Smooth Jazz". They are a translator station currently operated by Clear Channel.
 - WIKD's first adjacent frequencies are 102.3MHz, and 102.7MHz.
 - WIKD's second adjacent frequencies are 102.1MHz and 102.9MHz.
 - WIKD's third adjacent frequencies are 101.9MHz and 103.1MHz.
- In addition the FCC classifies stations as AM Broadcast Stations, FM Broadcasts Stations, Non-Commercial Educational FM Broadcast Stations, Digital Audio Broadcast Stations, and Low Power FM broadcast stations. In addition there are FM boosters and translators, which, at a basic level, rebroadcast another station's signal.

LPFM Specific Rules and Definitions

- LPFM stations are required, at a minimum, to broadcast at least 36 hours per week, with at least 5 hours of operation on at least 6 of the days of the week. However, stations licensed to educational institutes (such as WIKD!) are not required to operate on Saturday or Sunday, or to observe the minimum requirements during days which are designated by the school calendar to be vacation or recess periods.
- LPFM stations are required to submit applications to the FCC in order to be granted a license. These applications can later be amended or changed.
 - A minor amendment/change is classified as:
 - The relocation of the transmitter site by 5.6 kilometers or less.
 - Changes in the operating frequency (Provided that reduced interference can be shown).
 - Amendments to the time-share agreement.
 - A major amendment/change is a change which drastically alters the specifications of the original license.
 - Minor amendments/changes can be filed at any time; Major amendments/changes can only be filed during filing windows.
- WIKD's license expires February 1, 2020 at 3:00AM. The FCC will open a license renewal window in 2019.
- LPFM stations are NOT required to keep a Public File. A public file is a large and complicated document which details a stations operation and it's compliance with numerous FCC regulations and standards.
- Instead, WIKD is required to keep a Station Log which contains an equipment maintenance log, an EAS activation log, the most recent copy of the station's license, and a political file notification.

- The equipment maintenance log details any station outages due to equipment malfunction, servicing or replacement, as well as any operations not in accordance with the station's license.
- EAS logs contain an entry detailing all sent and received EAS activations.
- A political file notification is simply a notification that WIKD has not given air time to any political candidate during the current year.
- These logs must be kept for 2 years.
- Letters from the public are not required to be kept, but it is good practice to do so.

Rules Applicable to all broadcast stations

- The FCC can conduct inspections during normal business hours and at any time the station is in operation. However, because WIKD has undergone a Mock Inspection by the FAB (Florida Association of Broadcasters), WIKD is exempt from random FCC inspections until June 6, 2015, UNLESS there has been a public complaint, or there is a noted issue with the tower & it's lighting, or in the event that WIKD causes interference with another station or entity.
- WIKD is not required to observe ANY of the rules regarding the antenna tower lighting, because the tower is Embry Riddle's responsibility.
- The FCC requires that all stations issue a Station ID at the following times:
 - At the beginning and end of operation.
 - At the top of every hour OR at a natural break in programming.
- Station ID's must consist of the stations call letters, immediately followed by the station's city of license. For WIKD this is:
 - "WIKD-LP DAYTONA BEACH"

Phone Calls & Contests

- The FCC has declared that it is illegal to broadcast or record a caller without first notifying them of the station's intention, UNLESS the caller can be assumed to be aware.
- An aware caller is considered to be someone who is either associated with the station or the caller has initiated the call, and it is obvious that it is in connection with a program during which phone calls are traditionally aired live.
- In the event that WIKD chooses to host a contest or lottery, then all relevant rules and regulations must be aired alongside first announcement of the contest/lottery. Relevant rules generally include:
 - How to enter or participate
 - Eligibility requirements
 - Entry deadline dates
 - When the prizes can be won
 - The nature and value of the prizes
 - The time and means of selection of the winner
- The relevant rules must be broadcast periodically afterwards, however they do not need to be announced every time a reference is made to the contest.

FCC Regulations

- The FCC classifies stations as being attended or unattended. Attended stations are those which are staffed 24/7 by an operator responsible for operating/overseeing the transmission and EAS equipment. Unattended stations are those which employ highly stable equipment and monitoring devices which are capable of notifying staff personnel or shutting down out-of-tolerance equipment within 3 hours. WIKD is considered to be an unattended station.

- Out-of-tolerance conditions that would necessitate a shutdown within 3 hours include the following:
 - Excessive TPO (Transmitter Power Output)
 - Excessive Modulation
 - The emission of spurious signals that do not result in harmful interference
- Out-of-tolerance conditions that would necessitate a shutdown within 3 minutes include the following:
 - The emission of spurious signals that DO result in harmful interference.
 - The operation of the station outside its specified operating hours.
 - Operation of the stations which is substantially variant from its authorized radiation pattern.
- To help with the maintaining of station logs, the FCC requires that stations employ a Chief Operator. The Chief Operator a person designated by the station to oversee the stations logs, as well as its transmission and EAS equipment. In the event of an out-of-tolerance condition they should notify the station's Chief Engineer.
- In the event that a station needs to operate outside the parameters specified by its license, the station can apply for a STA (Special Temporary Authorization). The request should be made at least 10 days in advance of the proposed operation.

EAS Concept

- The EAS (Emergency Alert System) is an emergency warning system that is designed to allow the President of the United States to communicate with the American Public within 15 minutes of its activation. A national alert has never been triggered, and has only been tested once.
- The EAS works by dividing the United States into approximately 550 "Local Areas", each with two "Local Primary" stations. All of the participating broadcast stations in the Local Area are required to monitor these LP stations. In turn, the LP stations are required to monitor at least two sources of Presidential Messages, either a PEP station or State Primary Station.
 - A PEP station is designated a National Primary (NP) station because it is a source of National Activations. A State Primary (SP) is a source of State Level Activations originating from the Governor or Emergency Operations Center.
- In the event of a national activation, FEMA or the White House will initiate a Presidential Message that is relayed to each of the 77 PEP stations. In turn, each of the LP-1 stations then begin immediately retransmitting the Presidential message. This message is then rebroadcast by all of the remaining stations.
- In addition to monitoring NP or SP stations, LP stations typically monitor the NWS, NOAA, and local emergency management offices. These alerts make up approximately 70% of all EAS activations.
 - All radio stations are designated as EAS Participants unless they are designated as a NP, SP, or LP. However, EAS Participants can choose to be Participating National stations (PN), or Non-participating National stations (NN). NN stations are stations which, in the event of a national activation, transmit the EAS header tones and then sign off for the duration of the alert.
- To summarize:
 - Presidential Messages originate from FEMA/The White House, and then from PEP stations.
 - State Messages originate from the State Governor or the State Emergency Operations Center.
 - Local Messages originate from LP stations.
 - WIKD is a Participating National (PN) Station.
- In addition to the standard EAS, the FCC has introduced a new system called IPAWS (Integrated Public Alert and Warning System). It is a nationwide system that makes use of multiple mediums to disseminate alerts including SMS, Billboards, the Internet, NOAA/NWS, and traditional broadcasts.
 - One of the key features of the IPAWS is the ability for stations to receive alerts through the internet.
 - Currently FEMA is conducting weekly tests of the IPAWS, and as such WIKD should receive a "CAP" alert from FEMA every Monday at 11:05AM local time.

Florida EAS Details

- WIKD is part of Operational Area 7. The division of Florida into operation areas is specified in the State EAS Plan.
- WIKD's LP-1 is WPOZ 88.3MHz, Orlando. They are managed by Jim Hoge, and his contact information is available in the State EAS Plan. WPOZ also broadcasts on the following frequencies:
 - WHYZ 91.1 Palm Coast
 - WMYZ 88.7 Clermont
 - W245AZ 96.9 Melbourne/Palm Bay (Translator)
 - W259AS 99.7 Lady Lake/The Villages (Translator)
- WIKD's possible LP-2's are:
 - 92.3 WWKA Orlando
 - 540 WFLF Pine Hills
 - 580 WDBO Maitland
 - 96.5 WDBO Maitland
- The PEP stations for Florida are:
 - WOKV 690 AM, Jacksonville
 - WFLF 540 AM, Orlando
 - WAQI 710 AM, Miami
- In addition, Presidential Messages can be received by NPR stations through the NPR "Squawk Channel". For Operational Area 7, WUCF 89.9 FM, Orlando is the only station with an NPR "Squawk Channel" receiver.

EAS Tests

- The FCC requires that stations conduct a weekly test of their EAS equipment. This is called a RWT (Required Weekly Test), and consists of the EAS alert tones and a simple message indicating that it was simply a test of the system.
 - Stations are NOT required to relay other stations RWT's.
- In addition, stations are required to conduct a monthly test to ensure that system as a whole functions for the operational area.
 - These tests are called RMT's (Required Monthly Tests).
 - A RMT can ONLY be originated from an LP station.
 - RMT's must be retransmitted by all PN EAS Participants.
- In the event that the Chief Operator notices that WIKD failed to either receive or send an EAS activation, the Chief Engineer must determine why WIKD did not receive/send the alert, take corrective action, and note both the problem and solution the EAS log.

FCC Policies on Obscene Material, Indecency, and Profanity

- Obscene material is defined by the FCC as any programming which passes the following three part test:
 - An average person, apply contemporary community standards, must find that the material as a whole is of an overtly sexual nature.
 - The material must depict or describe, in a patently offensive manner, sexual conduct as defined by law.
 - The material, taken as a whole, must lack serious literary, artistic, political or scientific value.
- Obscene material is NOT protected by the First Amendment, and as such, is prohibited at ALL times.
- The FCC defines indecent material to be that which describes in an overtly offensive manner, sexual, or excretory organs or activities.
- The FCC defines profanity to be language that is so grossly offensive to members of the public that it amounts to a nuisance if they hear it.

- The Supreme Court has determined that indecent material and profanity ARE protected by the First Amendment and as such cannot be prohibited. However, it can be restricted, and as such, is not allowed between the hours of 6:00AM and 10:00PM. Outside of these hours, it is not considered to be actionable by the FCC's Enforcement Bureau.

FCC Policies on “Enhanced Underwriting”

- The FCC does not allow Non-Commercial or LPFM stations to air a commercial service. It explicitly prohibits the airing of a promotional announcement on behalf of for profit entities in exchange for payment of any sort.
- Instead, stations can acknowledge contributions from donors or sponsors.
- In addition to these acknowledgements, the FCC allows for an “Enhanced Underwriting” , which is defined as an acknowledgement which includes the following:
 - Logograms or slogans which identify and do NOT promote.
 - Location Information.
 - Value Neutral descriptions of a product line or service.
 - Brand and Trade names and product of service listings.
- The FCC explicitly prohibits the following in “Enhanced Underwritings”:
 - Announcements containing price information.
 - Announcements containing a call to action.
 - Announcements containing an inducement to buy, sell, rent, or lease.
 - Language which is clearly promotional or which compares the product to its competitors.