

§ 73.2090

§ 73.2090 Ban on discrimination in broadcast transactions.

No qualified person or entity shall be discriminated against on the basis of race, color, religion, national origin or sex in the sale of commercially operated AM, FM, TV, Class A TV or international broadcast stations (as defined in this part).

[73 FR 28369, May 16, 2008]

§ 73.3500 Application and report forms.

(a) Following are the FCC broadcast application and report forms, listed by number.

| Form number | Title |
|---|---|
| 175 | Application to Participate in an FCC Auction |
| 301 | Application for Authority to Construct or Make Changes in a Commercial Broadcast Station. |
| 301-A | Application for Authority to Operate a Broadcast Station by Remote Control or to Make Changes in a Remote Control Authorization. |
| 302-AM ... | Application for AM Broadcast Station License. |
| 302-CA | Application for Class A Television Broadcasting Station Construction Permit or License. |
| 302-FM | Application for FM Broadcast Station License. |
| 302-TV | Application for Television Broadcast Station License. |
| 303-S Application for Renewal of License for AM, FM, TV, Translator, or LPTV Station. | |
| 307 | Application for Extension of Broadcast Construction Permit or to Replace Expired Construction Permit. |
| 308 | Application for Permit to Deliver Programs to Foreign Broadcast Stations. |
| 309 | Application for Authority to Construct or Make Changes in an International or Experimental Broadcast Station. |
| 310 | Application for an International or Experimental Broadcast Station License. |
| 311 | Application for Renewal of an International or Experimental Broadcast Station License. |
| 314 | Application for Consent to Assignment of Broadcast Station Construction Permit or License. |
| 315 | Application for Consent to Transfer of Control of Corporation Holding Broadcast Station Construction Permit or License. |
| 316 | Application for Consent to Assignment of Broadcast Station Construction Permit or License or Transfer of Control of Corporation Holding Broadcast Station Construction Permit or License. |
| 323 | Ownership Report. |
| 323-E | Ownership Report for Noncommercial Educational Broadcast Station. |
| 340 | Application for Authority to Construct or Make Changes in a Noncommercial Educational Broadcast Station. |

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| Form number | Title |
|-------------|--|
| 345 | Application for Consent to Assignment of a TV or FM Translator Station Construction Permit or License. |
| 346 | Application for Authority to Construct or Make Changes in a Low Power TV, TV Translator or TV Booster Station. |
| 347 | Application for a Low Power TV, TV Translator or TV Booster Station License. |
| 349 | Application for Authority to Construct or Make Changes in an FM Translator or FM Booster Station. |
| 350 | Application for an FM Translator or FM Booster Station License. |
| 395-B | Annual Employment Report and instructions. |
| 396 | Broadcast Equal Employment Opportunity Program Report. |
| 396-A | Broadcast Equal Employment Opportunity Model Program Report. |
| 398 | Children's Television Programming Report. |
| 601 | FCC Application for Wireless Telecommunications Bureau Radio Service Authorization. |
| 603 | FCC Wireless Telecommunications Bureau Application for Assignments of Authorization and Transfers of Control. |

(b) Following are the FCC broadcast application and report forms, listed by number, that must be filed electronically in accordance with the filing instructions set forth in the application and report form.

(1) Form 398, in electronic form as of January 10, 1999.

[44 FR 38486, July 2, 1979]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 73.3500, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 73.3511 Applications required.

(a) *Formal application* means any request for authorization where an FCC form for such request is prescribed. The prescription of an FCC form includes the requirement that the proper edition of the form is used. Formal applications on obsolete forms are subject to the provisions of § 73.3564 concerning acceptance of applications and § 73.3566 concerning defective applications.

(b) *Informal application*¹ means all other written requests for authorization. All such applications should contain a caption clearly indicating the nature of the request submitted therein.

(c) Formal and informal applications must comply with the requirements as

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to signing specified herein and in § 73.3513.

[44 FR 38486, July 2, 1979, as amended at 47 FR 40172, Sept. 13, 1982]

§ 73.3512 Where to file; number of copies.

All applications for authorizations required by § 73.3511 shall be filed at the FCC in Washington, DC (Applications requiring fees as set forth at Part 1, Subpart G of this chapter must be filed in accordance with § 0.401(b) of the rules.) The number of copies required for each application is set forth in the FCC Form which is to be used in filing such application.

[52 FR 10231, Mar. 31, 1987]

§ 73.3513 Signing of applications.

(a) Applications, amendments thereto, and related statements of fact required by the FCC must be signed by the following persons:

(1) *Individual Applicant.* The applicant, if the applicant is an individual.

(2) *Partnership.* One of the partners, if the applicant is a partnership.

(3) *Corporation.* An officer, if the applicant is a corporation.

(4) *Unincorporated Association.* A member who is an officer, if the applicant is an unincorporated association.

(5) *Governmental Entity.* Such duly elected or appointed officials as may be competent to do so under the law of the applicable jurisdiction, if the applicant is an eligible governmental entity, such as a State or Territory of the United States and political subdivisions thereof, the District of Columbia, and a unit of local government, including an unincorporated municipality.

(b) Applications, amendments thereto, and related statements of fact required by the FCC may be signed by the applicant's attorney in case of the applicant's physical disability or of his absence from the United States. The attorney shall in that event separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

(c) Facsimile signatures are acceptable. Only the original of applications, amendments, or related statements of fact, need be signed; copies may be conformed.

(d) Applications, amendments, and related statements of fact need not be submitted under oath. Willful false statements made therein however, will be considered a violation of § 73.1015, are also punishable by fine and imprisonment, U.S. Code, Title 18, section 1001, and by appropriate administrative sanctions including revocation of station license pursuant to section 312(a)(i) of the Communications Act.

[44 FR 38487, July 2, 1979, as amended at 51 FR 3069, Jan. 23, 1986; 64 FR 56973, Oct. 22, 1999]

§ 73.3514 Content of applications.

(a) Each application shall include all information called for by the particular form on which the application is required to be filed, unless the information called for is inapplicable, in which case this fact shall be indicated.

(b) The FCC may require an applicant to submit such documents and written statements of fact as in its judgment may be necessary. The FCC may also, upon its own motion or upon motion of any party to a proceeding, order the applicant to amend the application so as to make it more definite and certain.

[44 FR 38487, July 2, 1979]

§ 73.3516 Specification of facilities.

(a) An application for facilities in the AM, FM, TV or Class A TV broadcast services, or low power TV service shall be limited to one frequency, or channel, and no application will be accepted for filing if it requests an alternate frequency or channel. Applications specifying split frequency AM operations using one frequency during daytime hours complemented by a different frequency during nighttime hours will not be accepted for filing.

(b) An application for facilities in the experimental and auxiliary broadcast services may request the assignment of more than one frequency if consistent with applicable rules in Part 74. Such