

Federal Communications Commission

§ 73.1207

(ii) In the case of aural broadcast stations, such announcements, in addition to the information required by paragraph (b)(1) of this section, shall include the frequency on which each station is operating.

(d) *Subscription television stations (STV)*. The requirements for official station identification applicable to TV stations will apply to Subscription TV stations except, during STV-encoded programming such station identification is not required. However, a station identification announcement will be made immediately prior to and following the encoded Subscription TV program period.

[34 FR 19762, Dec. 17, 1969, as amended at 37 FR 23726, Nov. 8, 1972; 39 FR 6707, Feb. 22, 1974; 39 FR 9442, Mar. 11, 1974; 41 FR 29394, July 16, 1976; 47 FR 3791, Jan. 27, 1982; 48 FR 51308, Nov. 8, 1983; 56 FR 64872, Dec. 12, 1991; 65 FR 30003, May 10, 2000; 69 FR 59535, Oct. 4, 2004; 72 FR 45693, Aug. 15, 2007; 73 FR 5684, Jan. 30, 2008; 76 FR 71269, Nov. 17, 2011]

EFFECTIVE DATE NOTE: At 73 FR 5684, Jan. 30, 2008, § 73.1201 was amended by revising paragraph (b)(1). This paragraph contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

§ 73.1202 Retention of letters received from the public.

All written comments and suggestions received from the public by licensees of commercial AM, FM, TV and Class A TV broadcast stations regarding operation of their station shall be maintained in the local public inspection file, unless the letter writer has requested that the letter not be made public or when the licensee feels that it should be excluded from the public inspection file because of the nature of its content, such as a defamatory or obscene letter.

(a) Letters shall be retained in the local public inspection file for three years from the date on which they are received by the licensee.

(b) Letters received by TV and Class A TV licensees shall be placed in one of the following separated subject categories: programming or non-programming. If comments in a letter relate to both categories, the licensee shall file

it under the category to which the writer has given greater attention.

[65 FR 30003, May 10, 2000]

§ 73.1206 Broadcast of telephone conversations.

Before recording a telephone conversation for broadcast, or broadcasting such a conversation simultaneously with its occurrence, a licensee shall inform any party to the call of the licensee's intention to broadcast the conversation, except where such party is aware, or may be presumed to be aware from the circumstances of the conversation, that it is being or likely will be broadcast. Such awareness is presumed to exist only when the other party to the call is associated with the station (such as an employee or part-time reporter), or where the other party originates the call and it is obvious that it is in connection with a program in which the station customarily broadcasts telephone conversations.

[35 FR 7733, May 20, 1970]

§ 73.1207 Rebroadcasts.

(a) The term *rebroadcast* means reception by radio of the programs or other transmissions of a broadcast or any other type of radio station, and the simultaneous or subsequent retransmission of such programs or transmissions by a broadcast station.

(1) As used in this section, "program" includes any complete programs or part thereof.

(2) The transmission of a program from its point of origin to a broadcast station entirely by common carrier facilities, whether by wire line or radio, is not considered a rebroadcast.

(3) The broadcasting of a program relayed by a remote pickup broadcast station is not considered a rebroadcast.

(b) No broadcast station may retransmit the program, or any part thereof, of another U.S. broadcast station without the express authority of the originating station. A copy of the written consent of the licensee originating the program must be kept by the licensee of the station retransmitting such program and made available to the FCC upon request.

(1) Stations originating emergency communications under a State EAS