

Failure to File Children's Programming Reports Could Cause Loss of Class A Status for LPTV Stations

February 28, 2012 by [David Silverman](#)

The FCC has [released](#) 16 Show Cause Orders threatening to deprive a number of low power television (LPTV) stations of their **Class A status** for failure to file **Children's Television Programming Reports**. These orders appear to be implementing a long-rumored get-tough policy on Class A TV stations, as the FCC prepares to clear portions of the TV spectrum to auction it for use by wireless broadband providers, in accordance with the authorizing [legislation](#) we [wrote about](#) last week. **Class A stations are protected from interference** like full power TV stations, while other LPTV licensees can be displaced from their current channels by new primary users - potentially including future wireless broadband auction winners. Therefore, if these Class A stations are downgraded to LPTV status, the FCC could displace them as needed for spectrum auctions. If they retain their Class A status, they are protected like full-power TV stations, and the FCC must attempt to replicate their coverage in any repacking of the spectrum that may occur.

These 16 Show Cause Orders all have essentially the same set of facts as [this](#) one. Specifically, all of the stations failed to file multiple Children's Television Programming Reports and failed to respond to FCC letters cautioning the stations that failure to file these reports could result in loss of Class A status. As the FCC notes in all of the Show Cause Orders, **Class A licensees are required to comply with many full power TV requirements, including the need to maintain a main studio and a public inspection file, to comply with children's programming requirements, political programming requirements, station identification requirements and Emergency Alert System rules**. Failure to comply with any of these requirements could result in loss of Class A status.

It may be no coincidence that these Show Cause Orders were released within two weeks following Congressional passage of the spectrum auction authorizing legislation. We may well be seeing more of these Orders in the coming days and weeks as the FCC attempts to clear as much as spectrum as possible.

All Class A licensees would be well advised to review their FCC compliance efforts to avoid becoming victim to the FCC's spectrum clearance process, in which downgrading Class A stations to LPTV status may play a significant role. In spectrum-congested markets, it could well be a matter of life or death, as LPTV stations may not survive spectrum repacking and a wireless auction, while Class A TV stations will remain protected. Watch for letters from the FCC questioning your station's Class A status, as the failure to respond to an FCC inquiry in and of itself may subject the station to liability as well as a loss of that status.

Tags: [Broadband Report](#), [Children's Programming and Advertising](#), [Class A LPTV](#), [LPTV](#), [Low Power Television/Class A TV](#), [Public Interest Obligations/Localism](#), [class A TV](#), [reallocation of TV spectrum for wireless broadband](#), [spectrum auction](#), [spectrum reallocation](#)

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