



North Carolina Association of Broadcasters

NCAB/FCC TECHNICAL STATION INSPECTION AND LEGAL AUDIT PROGRAMS

NCAB has developed, in cooperation with the FCC, an FCC Technical Station Inspection Program and a Legal Audit Program to help stations comply with FCC regulations. Stations may elect to participate in either one or both programs. The NCAB FCC “technical” station inspection program is being implemented pursuant to an agreement between NCAB and the FCC’s Field Office. Under this program, if you are inspected by an NCAB technical inspector and are certified by NCAB to be in compliance with the FCC’s technical rules, the FCC Field Office will not conduct a routine inspection of your station for *three* years.

The NCAB “legal” audit is a separate program designed to assist stations with FCC non-engineering legal issues.

HOW EACH PROGRAM WORKS

I. The FCC Technical Station Inspection Program

NCAB’s technical and engineering inspectors have been approved by the FCC to conduct inspections comparable to official FCC Field Office inspections. These inspections will typically include the following:

- * Inspection of transmitter operation, transmission standards and tower regulations.
- * Inspection to assure compliance by the station with its FCC licenses including compliance with directional AM parameters and auxiliary operations.
- * Inspection of remote control point operations, extension metering and automatic transmission systems, and review of operational requirements for stations located outside the city of license.
- * Inspection of each station’s Emergency Alert System (EAS) and review of Chief Operator requirements, station logs and the public inspection file.

The station can elect to have NCAB notify the FCC of its participation in the inspection program prior to the NCAB inspection being conducted. If the station does so elect, the FCC will not conduct a routine random inspection of the station for a period of 150 days from the date NCAB receives payment for the inspection. The station will have 150 days to successfully complete the inspection. [Note: If the station has not successfully passed the inspection within the 150-day grace period, the station, of course, is not immune from an official FCC inspection.] If the station does not elect this “Grace Period,” NCAB will not notify the FCC of the station’s request for an inspection, in which event, the “Grace Period” pending inspection would not apply.

Following the NCAB inspection, the inspector will notify the station of any detected violations of FCC technical requirements. The inspector will give the station a reasonable period of time to correct violations, and where necessary, a reinspection may be conducted. For stations that have opted into the Grace Period, all inspection-related activities should occur prior to the expiration of the 150-day period to ensure immunity from FCC inspections.

When the inspector is satisfied that the station is in compliance and has taken all required remedial actions, NCAB, upon approval of the inspector, will send a Certificate of Compliance to the station and to the Field Office of the FCC.

Upon receipt of the NCAB certification of compliance, the FCC's Field Office will not conduct a routine random inspection of the station for a period of three years from the date of certification. However, during this three-year period, the station will still be subject to the following FCC inspections: (1) public file inspections relating to political broadcasting or EEO materials; (2) inspections concerning tower safety; and (3) complaint-driven inspections. Also, the NCAB/FCC Technical Station Inspection does not insulate the station from FCC compliance problems that may later arise during the course of an FCC inspection, complaint proceeding or upon renewal of the station's license. The fact that a subsequently discovered regulatory deficiency or violation was not discovered and disclosed to the station by the inspector as part of or in connection with an NCAB/FCC Technical Station Inspection does not mean that the station may not later be held accountable by the FCC for that deficiency or violation. The inspection is not a substitute for FCC legal advice.

II. The Legal Audit Program

The NCAB legal audit is a separate program. It will include a visit to the station and a detailed legal audit by an FCC communications lawyer. The lawyer will audit the station's compliance, among other things, with the FCC's EEO rules, political broadcast rules, public file requirements, quarterly issues-programs list requirements, and advertising and sales practices. The lawyer will meet with the station manager and key staff members to discuss these and other legal requirements. The audit of television stations will also include an evaluation of the station's compliance with the FCC's children's programming rules.

THE COST

I. The FCC Technical Station Inspection Program

Radio NCAB Member Radio Station

The cost of an FCC technical inspection for an NCAB **member** radio station will be \$400.00 for the first station and \$200.00 for each additional commonly owned station with co-located main studios and co-located transmitter sites. For directional AM stations, an additional fee of \$50.00 per monitoring point will be charged.

Radio NCAB Non-Member Radio Station

The cost of an FCC technical inspection for **non-member** radio station will be \$1,200.00 for the first station and \$600.00 for each additional commonly owned station with co-located main studios and co-located transmitter sites. For directional AM stations, an additional fee of \$150.00 per monitoring point will be charged.

Television	NCAB Member TV Station	\$ 750.00
	NCAB Member LPTV Station	\$ 550.00
	NCAB Non-Member TV Station	\$2,250.00
	NCAB Non-Member LPTV Station	\$1,650.00

II. The Legal Audit Program

Radio NCAB **Member** Radio Stations
The cost of the legal audit for an NCAB **member** radio station will be \$1,200.00 for the first station and \$550.00 for each additional commonly owned station with main studios in the same city.

NCAB **Non-Member** Radio Stations
The cost of the legal audit for a **non-member** radio station will be \$3,600.00 for the first station and \$1,650.00 for each additional commonly owned station with main studios in the same city.

Television	NCAB Member TV Station	\$2,000.00
	NCAB Non-Member TV Station	\$6,000.00

- * Auto mileage and lodging (if any) expenses will be charged in addition to the above and, where possible, pro-rated among stations inspected on the same day. Inspection and audit fees quoted above are subject to change if the fees charged to NCAB change.
- * The on-site FCC legal audit will be conducted by a communications lawyer under the direction of NCAB's General Counsel Wade Hargrove.
- * If a reinspection should be required, charges for the reinspection will be determined by NCAB and based on the amount of time and expense required for the reinspection.

SIGN UP

- * To sign up for either the FCC technical station inspection or legal audit programs, please complete the enclosed registration form and return it to:

Gail Summerville
NCAB Membership Manager
Post Office Box 627
Raleigh, North Carolina 27602

- * For additional information about the programs, call the NCAB Office at 919-821-7300.

**REGISTRATION FORM FOR
NCAB'S FCC TECHNICAL STATION INSPECTION
AND LEGAL AUDIT PROGRAMS**

Please register me for one (or both) of the NCAB inspection programs:

- (1) FCC Technical Station Inspection _____ (Yes) _____ (No)
(2) FCC Legal Audit _____ (Yes) _____ (No)

The station(s) I wish to have inspected is/are as follows:

<u>Call Letters</u>	<u>City Of License</u>	<u>Type Of Station</u>	<u>Monitoring Points (if AM Directional)</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

If more than one station is listed, please answer the following:

- (1) Are all stations under common ownership?
_____ Yes _____ No
- (2) Are the main studios of each station located at the same site?
_____ Yes _____ No
- (3) Are the transmitters of each station located at the same site?
_____ Yes _____ No

TECHNICAL INSPECTION GRACE PERIOD OPT-IN

Under the technical inspection grace period, your station can elect to have NCAB notify the FCC of your participation in the inspection program. If you so elect, the FCC will not conduct a routine random inspection of the station for a period of 150 days from the date NCAB receives your payment for the inspection. You will have 150 days to successfully complete the inspection. If you do not elect the grace period, NCAB will not notify the FCC of your participation in the program, and the 150-day grace period pending successful completion of the inspection will not be available and you will not be insulated from an FCC inspection pending completion of the inspection.

Therefore, please indicate which option you elect:

- _____ I elect the grace period and authorize NCAB to notify the FCC of the station's participation in the inspection program.
- _____ I do not elect the grace period and understand that the station will be subject to FCC inspection until it receives a Certificate of Compliance.

I understand I will receive a billing invoice for the inspection program and agree to pay the invoice before the inspection is conducted. I also agree to make station staff available to accompany the NCAB representative and provide information necessary to complete the inspection as scheduled.

I also understand that the inspection does not cover and, therefore, the station will still be subject to the following FC inspections: (1) public file inspections relating to political broadcasting or EEO materials; (2) inspections concerning tower safety; and (3) complaint-driven inspections.

RELEASE

I HAVE READ AND UNDERSTAND THE NCAB'S DESCRIPTION OF AND LIMITATIONS OF THE NCAB/FCC TECHNICAL STATION INSPECTION PROGRAM AND ACKNOWLEDGE THAT THE NCAB INSPECTION WILL NOT INSULATE ME FROM NON-ROUTINE INSPECTIONS BY THE FCC NOR FROM SUBSEQUENTLY DISCOVERED VIOLATIONS OF FCC RULES AND IS NOT A SUBSTITUTE FOR FCC LEGAL ADVICE. I RELEASE, DISCHARGE AND HOLD HARMLESS NCAB, ITS AGENTS, INSPECTORS AND EMPLOYEES FROM ALL ERRORS, OMISSIONS, CLAIMS AND LIABILITY OF EVERY KIND WHATSOEVER IN CONNECTION WITH, RESULTING FROM OR GROWING OUT OF THE INSPECTION AND AUDIT.

Name

Title

Name Of Company

Address

City, State And Zip Code

_____/_____
Telephone Number/Facsimile Number

EFFECTIVE DATE:

(to be completed by NCAB)