subsequent grant of the application, found the adverse finding not to be disqualifying, it need not be reported again and the applicant may respond "Yes" to this item. However, an adverse finding that has not been reported to the Commission and considered in connection with a prior application would require a "No" response.

Where the response to the Adverse Findings question is "No," the applicant must provide in an attachment a full disclosure of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), and the disposition of the litigation. Where the requisite information has been earlier disclosed in connection with another pending application, or as required by 47 CFR § 1.65(c), the applicant need only provide an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or section 1.65 information was filed, and the date of filing. The applicant should also fully explain why the adverse finding is not an impediment to a grant of this application.

FCC Violations During the Preceding License Term. Section 309(k) of the Communications Act of 1934, as amended, 47 U.S.C. § 309(k), states that the Commission shall grant a license renewal application if it finds, with respect to that station, during the preceding license term, that: (1) the station has served the public interest, convenience, and necessity; (2) there have been no serious violations by the licensee of the Communications Act or the Commission's Rules; and (3) there have been no other violations of the Act or the Commission's Rules, which, taken together, would constitute a pattern of abuse. This question asks the applicant to certify that, with respect to the station for which a renewal application is being submitted, there were no violations of the Communications Act or of the Commission's Rules. If the renewal applicant has violated the Act or the Rules, it must respond "No" and submit an explanatory exhibit detailing the number and nature of the violations and any adjudication by the Commission (Notice of Violation, Forfeiture Order, etc.).

For purposes of this license renewal application only, an applicant is required to disclose only violations of the Communications Act of 1934, as amended, or the Rules of the Commission that occurred at the subject station during the license term, as preliminarily or finally determined by the Commission, staff, or a court of competent jurisdiction. This includes Notices of Violation, Notices of Apparent Liability, Forfeiture Orders, and other specific findings of Act or Rule violations. It does not include "violations" identified by the station itself or in conjunction with the station's participation in an Alternative Broadcast Inspection Program. In responding to this item, licensees should not submit any information concerning self-discovered or other "violations" that have not been identified by the Commission, staff, or court. Licensees are advised that the Commission may also consider other violations by the station that come to its attention, including as a result of other disclosures in this application, in determining whether to grant this license renewal application.

Ownership. All applicants must certify compliance with 47 CFR § 73.3555 with the exception of the following classes of stations: Class A television, low power television, TV translators, low power FM (*see* 47 CFR § 73.860), and noncommercial educational FM and TV stations. For such classes of stations, the applicant should select the "not applicable" option. All other classes of stations must provide a yes/no answer.

On November 20, 2019, the United States Court of Appeals for the Third Circuit vacated and remanded in its entirety the Commission's *2010/2014 Quadrennial Review Order on Reconsideration*. *Prometheus Radio Project v. FCC*, 939 F.3d 567 (3d Cir. 2019), *petition for rehearing* en banc *denied* (3d Cir. Nov. 20, 2019) (*Prometheus*)*; 2014 Quadrennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 et al.,* Order on Reconsideration and Notice of Proposed Rulemaking, 32 FCC Rcd 9802 (2017) (*2010/2014 Quadrennial Review Order on Reconsideration*). By vacating the *2010/2014 Quadrennial Review Order on Reconsideration*, the *Prometheus* decision reinstates the 2016 media ownership rules as they existed prior to the *2010/2014 Quadrennial Review Order on Reconsideration*. *See 2010*/*2014 Quadrennial Review Order,* Second Report and Order*,* 31 FCC Rcd 9864 (2016); *see also 2014 Quadrennial Regulatory Review – Review of the Commission's*

Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 et al., Order, DA 19-1303 (Dec. 20, 2019) (2019 Order). The following rules are currently in effect:

Local radio ownership rule. Commission regulations provide that a person or single entity (or entities under common control) may own no more than eight commercial radio stations in a market with 45 or more stations, with no more than five commercial stations operating in the same AM or FM service; or seven commercial stations in markets with 30-44 stations, with no more than four commercial stations operating in the same AM or FM service; or six commercial stations in markets with 15-29 stations, with no more than four commercial stations operating in the same AM or FM service; or five commercial stations in markets with 14 or fewer stations, with no more than three commercial stations operating in the same AM or FM service.

Local television multiple ownership rule. Commission regulations provide that one entity may own two television stations in the same Designated Market Area (DMA) if: (1) the digital noise limited service contours of the stations do not overlap; or (2) at the time the application to acquire or construct the station is filed, at least one of the stations is not ranked among the top four stations in the DMA, and at least eight independently owned and operating, full-power commercial and noncommercial TV stations would remain in the post-merger DMA.

Radio/television cross-ownership rule. Commission regulations provide that the rule applies when: (1) the predicted or measured 1 mV/m contour of an existing or proposed FM station (computed in accordance with § 73.313) encompasses the entire community of license of an existing or proposed commonly owned TV broadcast station(s), or the principal community contour(s) of the TV broadcast station(s) (computed in accordance with § 73.625) encompasses the entire community of license of the FM station; or (2) the predicted or measured 2 mV/m groundwave contour of an existing or proposed AM station (computed in accordance with § 73.183 or § 73.186), encompasses the entire community of license of an existing or proposed commonly owned TV broadcast station(s), or the principal community contour(s) of the TV broadcast station(s) (computed in accordance with § 73.625) encompass(es) the entire community of license of the AM station.

If the rule is triggered, an entity may directly or indirectly own, operate, or control up to two commercial TV stations (if also permitted by the local television multiple ownership rule) and one commercial radio station. To the extent permitted by the local television and local radio multiple ownership rules, an entity may exceed these limits as follows:

(i) If at least 20 independently owned media voices would remain in the market post-merger, an entity may directly or indirectly own, operate, or control up to: (A) two commercial TV and six commercial radio stations; or (B) one commercial TV and seven commercial radio stations.

(ii) If at least 10 independently owned media voices would remain in the market post-merger, an entity may directly or indirectly own, operate, or control up to two commercial TV and four commercial radio stations.

For purposes of this rule, independently owned media voices consist of television and radio stations, cable systems, and daily newspapers, as articulated in section 73.3555(c).

Newspaper/broadcast cross-ownership rule. No party (including all parties under common control) may directly or indirectly own, operate, or control a daily newspaper and a full-power commercial broadcast station (AM, FM, or TV) if: (i) the predicted or measured 2 mV/m groundwave contour of the AM station (computed in accordance with § 73.183 or § 73.186) encompasses the entire community in which the newspaper is published and, in areas designated as Nielsen Audio Metro markets, the AM station and the community of publication of the newspaper are located in the same Nielsen Audio Metro market; (ii) the predicted or measured 1 mV/m contour of the FM station (computed in accordance with § 73.313) encompasses the entire community in which

the newspaper is published and, in areas designated as Nielsen Audio Metro markets, the FM station and the community of publication of the newspaper are located in the same Nielsen Audio Metro market; or (iii) the principal community contour of the TV station (computed in accordance with § 73.625) encompasses the entire community in which the newspaper is published, and the community of license of the TV station and the community of publication of the newspaper are located in the same DMA.

Note: The prohibition regarding a party's direct or indirect ownership, operation, or control of a daily newspaper and a full-power broadcast station does not apply where either the newspaper or television station is found to be failed or failing consistent with the Commission's rules.

National television multiple ownership rule. No license for a commercial television broadcast station shall be granted, transferred, or assigned to any party (including all parties under common control) if the grant, transfer, or assignment of such license would result in such party or any of its stockholders, partners, members, officers, or directors having a cognizable interest in television stations that have an aggregate national audience reach exceeding thirty-nine (39) percent. If the thirty-nine (39) percent national audience reach limitation for television stations is exceeded through grant, transfer, or assignment of an additional license for a commercial television broadcast station, the person or entity exceeding the limitation shall have not more than two years after exceeding such limitation to come into compliance with such limitation. This divesture requirement shall not apply to persons or entities that exceed the 39 percent national audience reach limitation through population growth. *See* 47 CFR § 73.3555 for a further explanation of "national audience share."

Time Brokerage Agreement. A "time brokerage agreement" (also known as a "local marketing agreement") is the sale by a licensee of discrete blocks of time to a "broker" that supplies the programming to fill that time and sells the commercial spot announcements in it. Where two stations (either both radio or both television, respectively) are both located in the same market (as defined in local radio and television ownership rule), and a party (including all parties under common control) with a cognizable interest in one such station brokers more than 15 percent of the broadcast time per week of the other such station, that party shall be treated as if it has an interest in the brokered station subject to the aforementioned limitations. These limitations shall apply regardless of the source of the brokered programming supplied by the party to the brokered station. Every time brokerage agreement of the type described above shall be undertaken only pursuant to a signed written agreement that shall contain a certification by the licensee or permittee of the brokered station verifying that it maintains ultimate control over the station's facilities.

Joint Sales Agreement. A "joint sales agreement" is an agreement with a licensee of a "brokered station" that authorizes a "broker" to sell advertising time for the "brokered station." Where two radio stations, or two television stations, are both located in the same market, as defined for purposes of the local radio ownership rule or local television rule, respectively, and a party (including all parties under common control) with a cognizable interest in one such station sells more than 15 percent of the advertising time per week of the other such station, that party shall be treated as if it has an attributable interest in the brokered station for purposes of the Commission's ownership rules. Additionally, every joint sales agreement shall be undertaken only pursuant to a signed written agreement that shall contain a certification by the licensee or permittee of the brokered station verifying that it maintains ultimate control over the station's facilities, including, specifically, control over station finances, personnel, and programming, and by the brokering station that the agreement complies with the limitations set forth in the local radio or local television ownership rule, as applicable.

Note: If the Commission has granted the applicant a waiver of, or exception to, the aforementioned ownership rules, then the applicant should certify "Yes" and include an attachment evidencing the Commission's granting of the waiver.