

STATEMENT AS TO PUBLIC INSPECTION FILE RULE COMPLIANCE

The applicant wishes to advise the Commission that it has, in preparing its renewal application, determined it has not been as diligent as required in the process of initially uploading and then maintaining its online public inspection file during the renewal period.

In connection therewith, the applicant has determined that errors had occurred in the timely uploading of its quarterly compliance with the Commission's issues/programs requirements and, in one instance, in regard to its annual EEO Public File Report.

Prior to Q3 of 2019 reports on its Issues/Programs compliance were not timely uploaded to the Stations' online public inspection files. This error was noted during a licensee due diligence review conducted in 2019. Upon determination of these errors, responsibility for ensuring compliance with this requirement was assigned to another manager and the Stations have been fully compliant since that time.

As for the 2020 EEO Public File Report, the Report was due at the height of the Covid-19 pandemic. The Stations were dealing with the economic effect of the pandemic and employees were working remotely. As a result, the uploading was slightly delayed. The licensee does not anticipate this happening again.

The applicant submits that the change from a paper file to an online one has altered routines at its Stations, which are small market stations with limited staffs. These Stations are learning the necessary procedures, which pose difficulties for them because they do not have the benefit of a large staff. This problem has been compounded by the pandemic, which has caused difficulties for most radio stations as they are forced to reduce staff, deal with work from home practices, and face complications owing to illness on the part of employees and their families.

The Commission has recognized that, in this round of license renewals, the Commission's interest is in having online public inspection files be accurate as of the license renewal date. To that end, the Commission has announced that it is only where public inspection file compliance is not effectuated by the "deadline for filing a station's renewal application" will that failure result in any impact or adverse action involving the renewal application. *Public Notice*, 34 FCC Rcd 1344 (MB 2019). The applicant submits that this is an appropriate policy that should be applicable to the applicant in this instance.