

## **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. The applicant wishes to report that the Q4 of 2018, the Q2 and Q3 of 2019, and the Q2 and Q3 of 2020 reports on its Issues/Programs compliance were not timely uploaded to its Stations' online public inspection files. This error was noted during a licensee due diligence review conducted in January 2020. Upon determination of these errors, the missing reports were uploaded to the online public inspection file on January 8, 2020. Following this finding of a staff error, the licensee undertook a training program seeking to ensure that the responsible employees were fully trained in how to upload, both properly and timely, the applicable reports.

While the licensee expected this training to lead to compliance in 2020, the Covid-19 pandemic and its impact on Station revenues resulted in the licensee furloughing the individual who had been trained to handle the licensee's public inspection files. As a result of the reduction in staffing, the preparation and uploading of the Issues/Programs reports were delayed in Q1 and Q2 of 2020. The former was uploaded a month late and the latter a week late. After recognizing this problem, in July 2020, a new staffing arrangement was established, resulting in primary and secondary staff members being appointed and trained for the public inspection file function so that, even where there are personnel changes, compliance with the public inspection file requirements will occur.

The applicant submits that the change from a paper file to an online one has altered routines at stations, including small stations with limited staffs, such as the ones in this instance. These stations are learning the necessary procedures, which pose difficulties for stations that do not have the benefit of a large staff. This problem has been compounded by the pandemic, which has caused difficulties for 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 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.