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The VAB Voice



April, 2012

TWO VT FM'S UP FOR BID

The latest FCC auction of new FM frequencies, including two in Vermont, was still going on as of press time. 109 qualified applicants are bidding on 119 construction permits. At press time, Northway Broadcasting was the high bidder at \$26,000 for a Class A signal at 92.5 KHz in Poultney, VT. Northway is owned by Clay Ashworth, whose Regional Radio group runs WCKM-FM, WCQL-FM and WWSC-AM, based in Glens Falls, NY. Meanwhile, Barry Lunderville's White Mountains Broadcasting was the high bidder at \$9400 for a new Class C3 signal at 94.1 KHz for Canaan, VT. Lunderville owns and operates a number of stations in Northeast Vermont and North-west New Hampshire.

TRIBUNE RETRANS RUCKUS

Unable to reach a retransmission agreement with DirecTV, Tribune Broadcasting has pulled 23 stations in 19 markets from the satellite provider. Included are stations in New York, Philadelphia and Chicago and may leave some sports fans without coverage of their local teams just as the Major League Baseball season gets underway. Tribune was seeking cash compensation from DirecTV for the first time. DirecTV announced a "handshake deal" had been reached March 29, but Tribune denied a deal had been struck.

APRIL FILING DATES - FYI

April 10—FCC Form 398 Children's Television Programming Reports Due.

April 10—Children's Television Commercial Limitations Certification must be prepared and placed in the Public Inspection File.

April 10—Quarterly Issues Programs Lists must be prepared and placed in the Public Inspection File.

SALES THE FOCUS OF MAY 17 VAB CONVENTION



Mark Levy - Revenue Development Resources. 9:30 - 11:30 a.m. and 1:45 - 3:45 p.m.



David Oxenford and Scott Goodwin - Campaign Advertising Refresher Course. 9:30 - 11:00 a.m.



VAB Commercial of the Year Awards Luncheon Noon - 1:30 p.m.



Karen Travis - Advantage Systems. Boost Sales with Social Media. 1:45 - 3:15 p.m.



John Lund - The Lund Consultants Programming Essentials. 1:45 - 3:45 p.m.

(Schedule is subject to change)

Interested in increasing ad revenue for your station? We suggest you plan now to attend the 57th Annual VAB Convention, Thursday, May 17 at the Capitol Plaza Hotel in Montpelier.

Registration is only \$25 for VAB members and includes morning snacks and coffee, all seminars, the 2012 awards luncheon, welcome gifts and the chance to win one of ten \$100 gasoline cards! Register on-line at:

www.vab.org

WOKO-FM CORRALS RECORD AMOUNT IN ANNUAL COIN DRIVE

A tip of the cowboy hat to Burlington country station WOKO-FM for setting a new record in their annual "Big Change Roundup for Kids" campaign.

The seventh annual coin drive produced a whopping \$218,564 in donations for Vermont Children's Hospital at Fletcher Allen Health Care in Burlington.

The campaign culminated March 9-12 with a four-day broadcast appeal for donations. The station went to various locations in Vermont and New York and collected change from their "Change Bandits" and "Change Marshals."



Left: A young Change Bandit empties his loot into the collection bin.

The station says thousands of volunteers helped to collect money this year. Corporate sponsors included Maplefields, Walmart, Pete's RV Center and New England Federal Credit Union.

Is your station having an event or pledge drive to help others in our community? Let us know by emailing the details to vab@vab.org.



WOKO staff and Big Change volunteers

FROM THE BROADCAST LAW BLOG

By David Oxenford, Davis Wright Tremaine, LLP

FINES FOR FAILURE TO IDENTIFY THE SPONSOR

The FCC proposed a \$44,000 fine on a Chicago radio station for running 11 announcements that did not contain a sponsorship identification. This fine was not for 11 different announcements for different groups, but instead a single announcement run 11 times. Each airing of the announcement triggered a \$4000 fine (which is the amount of the FCC "base fine" for a sponsorship identification violation).

According to the FCC decision, a group called the Workers Independent News ("WIN") bought 2 two-hour programs, one one-hour program, and a number of shorter promotional announcements for those programs. 11 of the promotional announcements did not specifically state that they were sponsored. Instead, these 11 announcements - each 90 seconds long - consisted of an interviewer, identifying himself as being with Workers Independent News, discussing a local issue with local legislator. While the announcement did open with a mention of WIN, it didn't specifically say that they had paid for the spot.

NEW EAS RULES GO INTO EFFECT THIS MONTH

The Commission's Fifth Report and Order on the Emergency Alert System (EAS) has now been published in the Federal Register, establishing the effective date of the rules as April 23rd. This Fifth Report and Order did not impose new obligations on EAS Participants, but rather specified in detail how EAS Participants should implement the new Common Alerting Protocol (CAP) standards.

In a nutshell, the Order states the manner in which EAS Participants—which include radio and television broadcast stations, cable systems, wireline video systems, wireless cable systems, direct broadcast satellite (DBS) service providers, and satellite digital audio radio service (SDARS) providers—must be able to receive alert messages formatted in the CAP. In particular, all EAS Participants are required to be able to receive CAP-formatted EAS alerts no later than June 30, 2012.

CAP is an Internet-based system that allows for more robust messaging, including audio and video alerts, and links to other sources of information about emergency information, instead of the simple text-based alert codes that come from the current system.

The rules become effective on April 23rd, which is also the deadline for filing Petitions for Reconsideration. Some parties have already raised concerns about the Commission's Order, in particular with the prohibition on the use of text-to-speech conversion technology on CAP receiving devices. And in fact, it looks like FEMA has already filed a Petition seeking reconsideration of that very issue. Interested parties have until April 23rd to prepare and file petitions with the FCC seeking clarification or revision of the rules and policies established by the Order. - David Oxenford

(David Oxenford will present a campaign advertising refreshers course at the 57th Annual VAB Convention. To register for the convention, visit our homepage at www.vab.org.)

IT PAYS TO SCHEDULE ABIP NOW!

The VAB is increasing its financial help to all stations who wish to take part in the Alternative Broadcast Inspection Program (ABIP) in 2012.

In the past, our stations paid \$150 towards the overall inspection cost (which is now \$475). For 2012, the station contribution has been reduced to \$50 if the contract agreement is executed before July 1, or \$100 if the contract is executed on or after July 1.

Every three years, stations may schedule a mock FCC inspection by Robert Shotwell of Spectrum Investigative Services. The cost of the ABIP inspection is \$475, of which the VAB will pay \$425 and the station will pay \$50 if the contract agreement is executed before July 1, 2012. If the contract agreement (including scheduling of the inspection, completed station ABIP agreement and receipt of the station operator contribution) is received on or after July 1, 2012, the VAB will pay \$375 and each station will pay \$100. All station inspections must be scheduled to occur during the 2012 calendar year to be eligible for a VAB subsidy.

Once a contract has been signed, fees paid and an inspection scheduled, the VAB will notify the FCC that an inspection is pending, and the FCC will not visit the station for a regular inspection. Once the inspection is successfully completed, a certificate will be issued to the station (and a copy sent to the FCC) that will protect your station against a surprise regular inspection for a three-year period. Stations, however, are not immune from complaint-driven inspections.

Bob Shotwell will be in touch with all of the stations to set up a schedule. The ABIP station agreement may be downloaded from our website at www.vab.org.



The Capitol Plaza Hotel and Conference Center in historic Montpelier will host the 57th Annual VAB Convention on Thursday, May 17, 2012. Registration is only \$25 per person and includes snacks, coffee, all the seminars, a delicious lunch, free gifts and a chance to win \$100 gasoline cards! Register on-line at www.vab.org. Hope to see you there!

Capitol Plaza: 802-229-9039

