

## Bid Farewell to the FCC’s Main Studio Rule for Public Broadcasters – What Does This Mean for You?

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On October 3, 2017, the Federal Communications Commission released a draft Order to eliminate the Main Studio Rule and announced that the Commissioners will vote on the draft at the next Open Commission Meeting on October 24, 2017.

If the Commission adopts the Order, as expected, it would bring an end to a 78-year old rule requiring radio and television stations to (1) maintain a main studio within or near their communities of license and (2) have at least two full-time employees – one management and one staff – present at the studio during normal business hours.

The most significant consequence of the repeal for public broadcasters is that stations will be able to realize efficiencies by collocating operations and offices of stations without obtaining a waiver from the FCC.

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Once the Order is voted on by the Commissioners and becomes effective (typically 30 days after the vote), stations will be able to eliminate their main studio. However, non-commercial educational radio stations have until March 1, 2018 to begin posting public inspection file documents on the FCC’s website and any station that has not yet transitioned to the Online Public File should keep in mind that they must maintain paper public files at an accessible location in the community of license until the transition to Online Public File is made.

Additionally, the draft Order acknowledges that adopting the rule change renders moot existing main studio waivers and any commitments made in obtaining those waivers. The Commission explains that “Our decision to eliminate the main studio requirement supersedes these waiver grants, including pledges that the licensees made in connection with those waivers... including any related recordkeeping requirements.”

On April 20, 2017, Garvey Schubert Barer filed a petition asking the Commission to eliminate the Main Studio Rule, and shortly after, FCC Chairman Pai stated his

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agreement and the Commission then launched the new rulemaking leading to this month’s decision to rescind the rule.

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