

Low Power FM Radio:

FAQ for the Board

Congratulations! You are interested in participating in the largest expansion of community radio in U.S. history! Your new community radio station could become a fresh outlet for information, music, education, or anything else you are dreaming of. Radio is a powerful tool and being stewards of a community radio station is an exciting opportunity!

Thanks to the recent passage of the Local Community Radio Act, the FCC will issue new low power FM licenses for the first time in over a decade. In October 2013, the FCC will open an estimated week-long filing window for groups to apply. **After this, there are no foreseeable opportunities for groups to apply for their own radio stations.** This is a one-time golden opportunity for local communities to own a valuable piece of media infrastructure, and for non profit organizations to expand their influence and impact.

As the board of directors of a potential applicant organization, you are legally and financially responsible for the station, just as you are for your nonprofit. By making the decision on whether or not to apply, you are also responsible for whether or not your community takes advantage of this historic opportunity to seize the airwaves!

What is low power FM?

Low power FM stations are noncommercial radio stations licensed by the FCC. They are owned and operated by nonprofit organizations, schools, community groups, local governments, and churches. They run at 100 watts or less, reaching a radius of about 3-10 miles.

Who can apply?

Not-for-profit organizations, like nonprofits, community associations, schools, churches, local government, and Tribes. You do **not** need to be a 510(c)(3). You also have to be local: your station has to be in the area where your organization is based. You will need to provide your articles of incorporation to prove your status to the FCC and a list of the "parties to the application"—which is you!—the board of directors.

How much does it cost?

The FCC does not charge a fee for low power FM licenses. Since you only have one chance to get one of these licenses, you want to budget \$500 - \$2,000 to hire an engineer to help you with the technical portion of the application. Depending on your geographic location, you might be able to do this yourself. After you are awarded a license, the cost to build the station begins at \$15,000. You will have 18 months to start broadcasting once you receive a license, so you will also have time to fundraise *after* receiving the license.

What are the programming restrictions for a low power FM station?

A low power FM license is a “non-commercial-educational” license, which means your station must have an educational mission. The FCC does not evaluate the merits of this mission. Low power FM stations air a diversity of programming, including music, news, public affairs, etc. You cannot air paid advertisements, but you can have underwriting, which allows you to accept contributions from businesses and express gratitude for these contributions on the air.

What are the legal risks involved in running a radio station?

Like any significant investment, ownership of a radio license comes with a degree of liability. In the field of broadcasting, FCC fines are the primary liability your organization might face. FCC fines are relatively rare and these fines are easily preventable by having good procedures to make sure your station complies with FCC rules. Fines can be incurred for things like late filing of a license renewal, broadcasting commercial announcements, or operating at a greater antenna height than authorized. If your station maintains its public file, follows on-air rules, and completes all scheduled FCC filings in a timely manner, you can be confident of avoiding fines.¹

What kind of paperwork and reporting will need to be done?

Every radio station is required to renew their FCC license on a regular basis, usually every 8 years. This is a short form for you to tell the FCC that you are still around, who your contact representative is at the moment, what their contact information is, and things like that.

Is this possible for an organization our size?

There are about 800 low power FM station on air today, many of them run completely by volunteers.² These licenses are designed for smaller organizations to broadcast to their neighborhoods and communities. The costs and complexity to apply—and run—low power FM stations is considerably less than a full power commercial station. The FCC isn't trying to make more work for itself; it wants to prove that this service works, which is why it establishes requirements for established non profit groups. It's not looking to heavily regulate these non profit groups. Rather, it's trying to make itself look effective.

Can we transfer the license?

You can transfer a low power FM license to another eligible organization in your area three years after your station goes on the air.

¹ More details at: prometheusradio.org/sites/default/files/nonprofit_radio_liability.pdf

² Read more about existing low power FM stations at: prometheusradio.org/stationprofiles