

# ANNOUNCEMENT OF FEDERAL FUNDING OPPORTUNITY

## EXECUTIVE SUMMARY

**Federal Agency Name:** National Telecommunications and Information Administration (NTIA),  
Department of Commerce

**Funding Opportunity Title:** Public Telecommunications Facilities Program (PTFP)

**Announcement Type:** Initial Announcement-Notice of Availability of Funds

**Catalog of Federal Domestic Assistance (CFDA) Number:** 11.550. Public  
Telecommunications Facilities Program

**Program Authority:** 47 U.S.C. §§ 390-393, 397

**Dates:** Completed applications must be received at the Public Telecommunications Facilities  
Program office no later than 5:00 p.m., Eastern Time, on April 6, 2007.

**Funding Opportunity Description:** The Public Telecommunications Facilities Program  
(PTFP) assists, through matching grants, in the planning and construction of public  
telecommunications facilities in order to:

- (1) extend delivery of services to as many citizens as possible by the most cost-effective  
means, including use of broadcast and non-broadcast technologies;
- (2) increase public telecommunications services and facilities available to, operated by,  
and controlled by minorities and women;
- (3) strengthen the capability of existing public television and radio stations to provide  
public telecommunications services to the public.

**Amount to be Awarded:** \$20 million; approximately 100 awards

**Funding Instrument:** Grant

**Eligible Applicants:** To apply for and receive a PTFP Construction or Planning Grant, an  
applicant must be: (a) a public or noncommercial educational broadcast station; (b) a  
noncommercial telecommunications entity; (c) a system of public telecommunications entities;  
(d) a non-profit foundation, corporation, institution, or association organized primarily for  
educational or cultural purposes; or (e) a state, local, or Indian tribal government (or agency  
thereof), or a political or special purpose subdivision of a state.

**Cost Sharing:** Cost sharing is required.

**Limitation on Number of Applications:** None

# **FEDERAL FUNDING OPPORTUNITY (FFO)**

## **Public Telecommunications Facilities Program (PTFP)**

### **Fiscal Year (FY) 2007 Grant Cycle**

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## **I. Funding Opportunity Description**

### **A. PTFP Rules**

This section describes funding available under the Public Telecommunications Facilities Program, pursuant to Rules which were published on November 8, 1996 (61 FR 57966). Copies of the 1996 Rules (15 CFR Part 2301) are posted on the NTIA Internet site at

[www.ntia.doc.gov/Rules/currentrules.htm](http://www.ntia.doc.gov/Rules/currentrules.htm) and NTIA will make printed copies available to applicants upon request.

## **B. NTIA Areas of Interest for the FY 2007 Grant Round**

This section is divided into four parts. The first part provides an overview of the projects eligible for PTFP funding. The remaining three parts provide specific information about NTIA's emphasis for funding opportunities during the FY 2007 grant cycle. The four parts in this section are:

1. Eligible Projects and Priorities
2. Radio Broadcasting, Expansion and Digital Conversion
3. Television Broadcasting and Digital Conversion
4. Nonbroadcast (Distance Learning) Projects

### **1. Eligible Projects and Priorities**

An applicant may file an application with the Agency for a planning or construction grant. Each application shall be identified as a broadcast or nonbroadcast project and must fall within at least one of the following categories which are summarized here and are fully described in § 2301.4 of the PTFP Rules:

(a) **Special Applications (Nonbroadcast/Distance Learning).** NTIA possesses the discretionary authority to recommend awarding grants to eligible nonbroadcast applicants whose proposals are *unique or innovative* and which address demonstrated and substantial community needs (e.g., service to the blind or deaf and nonbroadcast projects offering educational or instructional services).

(b) **Broadcast Applications.** The Broadcast Priorities are set forth in order of priority for funding.

(1) **Priority 1** ) ) Provision of public telecommunications facilities for first radio and television signals to a geographic area. Within this category, NTIA establishes three subcategories:

(i) **Priority 1A.** Projects that include local origination capacity.

(ii) **Priority 1B.** Projects that do not include local origination capacity.

(iii) **Priority 1C.** Projects that provide first nationally distributed programming. This subcategory includes projects that provide satellite downlink facilities to noncommercial radio and television stations that would bring nationally distributed programming to a geographic area for the first time.

(2) **Priority 2** ) ) Replacement of basic equipment of existing essential broadcast stations. The term "essential stations" refers to existing broadcast stations that provide either the only public telecommunications signal or the only locally originated public telecommunications signal to a geographical area.

(3) **Priority 3** ) ) Establishment of a first local origination capacity in a geographical area. Projects in this category include the planning or construction of facilities to bring the first local origination capacity to an area already receiving public telecommunications services from distant sources through translators, repeaters, or cable systems.

(4) **Priority 4** ) ) Improvement of public broadcasting services: Projects eligible for consideration under this category are intended to improve the delivery of public broadcasting services to a geographic area. Within this category, NTIA establishes two subcategories:

(i) **Priority 4A.** This subcategory includes the four following types of projects:

(A) Applications to replace urgently needed equipment from public broadcasting stations that do not meet the Priority 2 criteria because they do not provide either the only public telecommunications signal or the only locally originated public telecommunications signal to a geographic area.

(B) The establishment of public broadcasting facilities to serve a geographic area already receiving the same type (radio or TV) of public telecommunications services.

(C) The acquisition of satellite downlinks for public radio stations in areas already served by one or more full-service public radio stations.

(D) The acquisition of the necessary items of equipment to bring the inventory of an already-operating station to the basic level of equipment requirements established by PTFP.

(ii) **Priority 4B.** The improvement and non-urgent replacement of equipment at any public broadcasting station.

(5) **Priority 5** ) ) Augmentation of Existing Broadcast Stations. Projects in this category would equip an existing station beyond a basic capacity to broadcast programming from distant sources and to originate local programming. Within this category, NTIA establishes two subcategories:

(i) **Priority 5A.** Projects to equip auxiliary studios at remote locations, or to provide mobile origination facilities. While PTFP can equip a remote van for audio/video production, it cannot fund vehicles.

(ii) **Priority 5B.** Projects to augment production capacity beyond basic level in order to provide programming or related materials for other than local distribution.

(6) **Broadcast Other cases (Digital Conversion).** NTIA possesses the discretionary authority to recommend awarding grants to eligible broadcast applicants whose proposals are so unique or innovative that they do not clearly fall within the five Priorities listed in this section. Innovative projects submitted under this category must address demonstrated and substantial community needs or must address issues related to the conversion of public broadcasting facilities to advanced digital technologies.

Please note that for the FY 2007 grant round, NTIA has established three subpriorities under the Broadcast Other category. These subpriorities are discussed in the sections on *Radio Broadcasting* and *Television Broadcasting* below.

## 2. Radio Broadcasting

NTIA will take great care to ensure that its funding of radio applications follows the directive of 47 U.S.C. § 393(c) that “a substantial amount” of each year’s PTFP funds should be awarded to public radio. For the FY 2007 grant round, the eligibility and priority of radio projects, eligibility of radio equipment, and the presumption of 50 percent funding for radio equipment replacement applications remain as they were in the FY 2006 grant round.

In response to recent events and changes in technology and in the Federal regulatory environment, NTIA is providing guidance on five issues of interest to potential radio applicants. Applicants proposing projects involving (a) radio signal expansion, (b) conversion to digital

transmission, (c) Internet streaming, (d) Public Radio Satellite System-related applications, and (e) stand-by generators and uninterruptible power supply units should read the appropriate sections below. There are no changes from the FY 2006 grant cycle in applicant requirements in sections (a) through (e).

**(a) Radio signal expansion**

NTIA's highest priority is activation of public broadcasting facilities to provide a public broadcasting signal to unserved audiences. NTIA is prepared to fund new radio station projects as warranted by reviewers' evaluations and PTFP's financial resources. Activation of new radio stations has been delayed in recent years as the Federal Communications Commission (FCC) placed a "freeze" on new applications while it considers a large number of mutually exclusive applications for construction permits.

NTIA anticipates receiving many applications for station activation projects when the FCC begins to accept new applications, resolves mutually exclusive applications, or issues authorizations for non-mutually exclusive applications. In anticipation of increased interest in these types of applications, NTIA is hereby providing the following guidance to potential applicants.

NTIA's first priority for radio projects remains activations to provide the first public radio signal to an area. These projects are divided into two subgroups, Priority 1A and Priority 1B.

**First Signal Activations *with* Local Origination: Priority 1A.** As in the past, Priority 1A status will be given to first public radio signal projects that will originate a local public radio service to a geographic area. A Priority 1A application must include local offices and studios which are fully staffed for station management and program production.

NTIA has long recognized that new fully-staffed Priority 1A projects are usually submitted by organizations that are beginning to build community support. Priority 1A projects usually also incur significant project costs which are ineligible for Federal support, such as studio building acquisition/renovation and start-up staff costs. Because these projects are NTIA's highest priority, PTFP will continue to fund Priority 1A applications with a presumption of a 75 percent Federal share, the maximum amount permitted by law.

**First Signal Activations *without* Local Origination: Priority 1B.** Priority 1B status will continue to be given to first public radio signal projects which are repeaters or translators of other public radio facilities. Projects that will serve significant additional listeners with a first public radio signal through increases in tower height and/or power upgrades may be classified as Priority 1B or Priority 2 (equipment replacement) and are discussed in the section on power increase projects below.

In recent years, the emphasis of applications received for expansion projects has changed from requests for fully staffed stations to requests for Priority 1B repeaters and translators. Given the limited availability of Federal funds and the increasing number of applications for new repeater/translator stations, PTFP will now evaluate Priority 1B applications to determine whether or not 75 percent Federal funding is justified.

In general, NTIA will continue its present presumption of 75 percent Federal funding for Priority 1B applications which construct the applicant's first broadcast facility in a community.

An application seeking to upgrade a translator to a repeater will normally be funded by NTIA at a 50 percent Federal share. These applicants should be able to draw on the financial resources

of the community served by the applicant's existing program service. Since the broadcaster would be building upon existing infrastructure, it also would incur reduced ineligible start-up costs. Applicants for these types of Priority 1B projects may seek a higher Federal percentage by submitting justification for the increased amount, which will be evaluated by PTFP.

**Power increase projects.** Sometimes a project to replace a station's transmitter or antenna results in an increase in coverage to a new, but relatively small, unserved audience. PTFP usually treats these applications with incidental coverage increases as Priority 2 applications if the equipment replacement meets the Priority 2 criteria. If an applicant requests a Priority 1B consideration of such an application, the applicant should provide documentation of a significant increase in the population that will receive a first public radio signal. PTFP will evaluate the Priority of such requests on a case-by-case basis. Since the applicant already has a facility in the community, these projects, if accepted as Priority 1B, will normally be funded by NTIA at a 50 percent Federal share. Applicants for these types of Priority 1B projects may seek a higher Federal percentage by submitting justification for the increased amount, which will be evaluated by PTFP.

**Second (additional) Station Activations: Priority 4A.** An application to provide an additional public radio signal to an area already served by public radio will continue to be placed in Priority 4A. The project must demonstrate that it will address underserved needs in a way that significantly differentiates its services from what is already available in the proposed coverage area (*see* § 2301.4(b)(ii)(b) of the PTFP Final Rules).

In order to extend its resources to assist in signal expansion projects, NTIA will usually fund Priority 4A additional signal projects at no more than a 50 percent Federal share. This is due both to the lower priority and the reduced ineligible costs of Priority 4A repeater/translator projects which build upon existing infrastructure. Applicants for Priority 4A expansion projects, including those for new fully-staffed facilities, may seek a higher Federal percentage by submitting justification for the increased amount, which will be evaluated by PTFP.

If a project to construct a second station (or other additional stations in a community) results in coverage to a new unserved audience and the applicant requests Priority 1B consideration of its application, the applicant should provide documentation of a significant increase in the population that will receive a first public radio signal. PTFP will evaluate the Priority of such requests on a case-by-case basis.

**Important information for all station activation applicants:**

(1) **Coverage Maps.** An applicant proposing to construct a Priority 1A, 1B or Priority 4A station activation should provide documentation, such as maps or tables, of the number and geographical location of persons who would receive a first public radio signal as well as the number and location of persons already covered by another public radio station who would receive added service as a result of the proposed project (*see* § 2301.4(b)(1)(v) of the PTFP Final Rules).

(2) **Digital Transmission Equipment.** An applicant proposing to construct a Priority 1A, 1B or Priority 4A station activation should address whether it requests funds to equip the new facility with digital broadcast capability. As noted below in the discussion regarding digital conversion, NTIA anticipates that it will fund digital-*upgradable* transmitters as the usual equipment for new facilities. Grant recipients will be able to add, at their own expense, in-band, on-channel (IBOC) exciters and additional power output modules as needed to PTFP-funded

digital-upgradable transmitters.<sup>1</sup> Applicants requesting full IBOC digital transmitters as part of their activation project must include documentation of the station's digital plan demonstrating its programming readiness to begin digital broadcasting upon receipt of PTFP funding. An application for IBOC transmission equipment also must directly address in its technical exhibits the type of analog/digital signal combining proposed. The applicant should include its plans, if any, to utilize Program Associated Data or the Supplemental Audio Channel when authorized by the FCC. NTIA reminds potential applicants that licensing fees, including licensing fees related to the use of IBOC technology, are not eligible for PTFP funds.

(3) **Deferred Applications.** NTIA will permit those applicants whose applications for activation projects were originally submitted in FY 2005 or FY 2006, and were negotiated by PTFP, but were deferred from funding in FY 2005 and FY 2006 because of the lack of FCC authorizations, to submit FY 2007 applications requesting the same Federal percentage as their initial applications.

#### **(b) Radio station conversion to digital transmission**

NTIA encourages the use of digital technologies for public radio facilities. For many years, NTIA has funded projects for digital STLs and digital audio production equipment which will assist public radio stations as they prepare for conversion to digital technologies. These digital projects are funded as equipment replacement, improvement, or augmentation projects with the presumption of a 50 percent Federal share unless a showing of extraordinary need for a higher percentage has been made pursuant to § 2301.6(b)(ii) of the PTFP Rules. NTIA will continue to support digital non-transmission equipment for radio equipment replacement projects.

**Digital conversion projects.** As noted, on October 10, 2002, the FCC approved digital transmission for radio stations, although it has not yet published regulations for such stations. Unlike the digital conversion of television stations, the FCC has not established a deadline for the conversion of radio stations. In addition, there is the question of when receivers will be generally available for purchase by the public. These factors raise the issue of whether projects whose primary purpose is to begin digital radio broadcasts present compelling urgency for funding in the FY 2007 grant round.

For FY 2007, NTIA will accept applications for digital transmission equipment for public radio facilities to convert to digital broadcasting. PTFP has included a list of eligible digital equipment on its Internet site and in its printed materials. This list includes transmission and STL equipment. Applicants for digital conversion projects must include documentation of the station's digital conversion plan demonstrating its programming readiness to begin digital broadcasting upon receipt of PTFP funding. The applicant should include its plans, if any, to utilize Program Associated Data or the Supplemental Audio Channel when authorized by the FCC. Digital conversion applications must directly address in their technical exhibits the type of analog/digital signal combining proposed.

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<sup>1</sup> The FCC selected the hybrid AM and FM IBOC systems tested by the National Radio Systems Committee as *de facto* standards for interim digital operation. See Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service, First Report and Order, MM Docket No. 99-325, 17 F.C.C. Rcd. 19990 (2002).

PTFP will place radio applications requesting funds to convert to digital broadcasting in the Broadcast Other category. In order to process applications for digital conversion in an orderly manner and to provide guidance to potential applicants for the FY 2007 Grant Round, NTIA will divide the Broadcast Other category into three Subpriorities. Digital television projects will be placed into Subpriorities A and B because the FCC has mandated television's digital conversion and has established a series of deadlines that television stations must meet. Digital radio conversion projects will be placed in Subpriority C.

**Broadcast Other, Subpriority C. Radio Digital Conversion.** NTIA will assign the following applications for conversion of public broadcasting facilities to advanced digital technologies to the third subpriority level within the Broadcast Other category. These applications will receive equal consideration as subpriority C.

- An application to convert radio transmission facilities to digital technologies or an application to add a digital exciter to a digital-*upgradable* transmitter. In order to be highly competitive, an application must document its plans to utilize Program Associated Data or the Supplemental Audio Channel, when authorized by the FCC.

- An application to convert production equipment to digital technologies for a station already broadcasting in digital or a station proposing to broadcast in digital. In order to be highly competitive, an application must document its plans to utilize Program Associated Data or the Supplemental Audio Channel, when authorized by the FCC.

- An application for additional equipment necessary to originate programming utilizing the Supplemental Audio Channel, when authorized by the FCC. In order to be highly competitive, an application must document that current equipment is inadequate to program the Supplemental Audio Channel and that the requested equipment is required.

NTIA notes that in the past it has been able to fund applications each year in most if not all of the five traditional broadcast Priorities and anticipates that it will be able to fund applications in FY 2007 in most if not all of the Subpriorities in the Broadcast Other category. The presumption of funding for radio projects in the Broadcast Other category is a 50 percent Federal share. NTIA has not set aside a specific amount for funding radio digital conversion projects. Funding of radio digital conversion projects will depend on the quality of applications received and the availability of funds.

**Digital upgradable transmitters.** Regarding FY 2007 applications for replacement equipment, NTIA anticipates that it will fund digital-*upgradable* transmitters as the usual replacement for analog transmitters at the power level required to achieve the licensed analog ERP, if justified as urgent replacement of radio transmission equipment. Transmitter replacement applications will be placed in Priority 2 or Priority 4A, as appropriate, depending on whether the applicant provides the only public radio signal to an area (see §§ 2301.4(b)(2) and (4)). Grant recipients will be able to add an IBOC exciter and additional power output modules as needed to PTFP-funded digital-*upgradable* transmitters. The cost for the IBOC exciter and additional power output modules above the amount initially approved for the replacement transmitter will be the responsibility of the grantee for FY 2007 awards. NTIA reminds potential applicants that licensing fees, including licensing fees related to the use of IBOC technology, are not eligible for PTFP funds.

**Digital Compliant Transmitters.** NTIA may also directly fund fully compliant IBOC digital transmitters as replacement equipment, when fully justified by the application. Applicants requesting full IBOC digital transmitters as part of equipment replacement projects must include

documentation of the station's digital conversion plan demonstrating its programming readiness to begin digital broadcasting upon receipt of PTFP funding. Included should be its plans, if any, to utilize Program Associated Data or the Supplemental Audio Channel when authorized by the FCC. The request for a digital transmitter, in itself, is not sufficient justification to replace an otherwise adequate analog or composite STL. The need for the replacement of the STL should be supported by technical documentation addressing the program channel and interface requirements of the digital transmitter. Digital conversion applications must directly address in its technical exhibits the type of analog/digital signal combining proposed.

**Corporation for Public Broadcasting grant funds.** NTIA is aware that the Corporation for Public Broadcasting (CPB) has a grant program focused on projects to convert public radio stations to digital broadcasting. In order to facilitate application processing by both CPB and PTFP, applicants for PTFP funds should clearly identify in their application whether they have applied to CPB for funding and list the equipment requested from CPB. The submission of an application to CPB will have no effect on NTIA's evaluation of the PTFP application. It is the applicant's responsibility to ensure that no PTFP-funded equipment is funded by both grant programs.

#### **(c) Internet streaming**

Given the limited availability of funds, NTIA has emphasized support of basic equipment required for a public broadcast station to serve its local audience (see § 2301.4 of the PTFP Final Rules, *passim*). NTIA continues to receive more activation and replacement applications than it can fund in any cycle. NTIA has received a few applications for equipment to provide Internet streaming. The applications have not been favorably evaluated by the reviewers or the national advisory panels.

NTIA has determined that streaming on the Internet goes beyond the provision of a basic local public broadcasting service. NTIA will place any applications it receives for streaming equipment in Priority 5B (*see* § 2301.4(b)(5)(ii) of the PTFP Final Rules). Priority 5B relates to equipment required for the production of "programming for regional and national use."

#### **(d) Public Radio Satellite System-related applications**

The Public Radio Satellite System (PRSS) has retrofitted all downlinks at participating stations, placed two streaming decoders and two storage receivers at each station, and also supplied an automation system where necessary. The modernized delivery system was completed during the Summer of 2006.

NTIA recognizes that additional stations that affiliate with the PRSS may require equipment in order to participate in the system. NTIA also recognizes that some PRSS stations may have a justified need for additional equipment to fully utilize PRSS services. All applications for PRSS-related equipment must document the need for the requested equipment to fully serve their community.

Applications for PRSS-related equipment for projects which would bring nationally distributed programming to a geographic area for the first time will be placed in Priority 1C. Other applications seeking PRSS-related equipment will be placed in Priority 2 or Priority 4A, according to the category in which the applicant otherwise qualifies for equipment replacement

projects.

### **(e) Stand-by Power Generators and Uninterruptible Power Supply (UPS) units**

For many years PTFP has funded stand-by power generators and Uninterruptible Power Supply (UPS) units for existing stations when an applicant has documented a pattern of frequent transmitter power outages accompanied by delayed restoration of power. Station activation projects have included stand-by power equipment only if justified by circumstances at the site where the transmitter was to be installed. Such projects will continue to be eligible for funding, but recent events have prompted NTIA to consider other conditions that might justify PTFP support for such equipment.

As a result, PTFP will now regard stand-by power generators and uninterruptible power supply units as essential equipment when justified as discussed in this section. Applications seeking such equipment will be placed in Priority 2 or Priority 4A, according to the category in which the applicant otherwise qualifies for equipment replacement projects. PTFP is prepared to support only the minimum level of equipment required to keep a station's signal on the air. Stand-by power for STLs may be funded if their inclusion is justified in the same way as transmitters. Emergency power for origination equipment will be considered in addition to transmission equipment when the applicant demonstrates that such equipment is integral to the emergency service it provides. Stand-by generators and UPS units to provide emergency power to entire facilities are not contemplated for PTFP support.

In order to be highly competitive, applicants must support the need for stand-by power by documenting one or more of the following conditions—

- (1) the station is part of a state/regional system to which the public is referred by local authorities for information during an emergency, such as an evacuation from a storm or other event; or
- (2) the station is a relay point for the distribution of emergency information to get it to transmitters beyond its local coverage area; or
- (3) the station is the sole source of emergency information in its service area in contrast to a station that is one of many in area broadcasting the Emergency Alert System; or
- (4) the station has experienced a pattern of frequent transmitter power outages accompanied by delayed restoration of power.

### **3. Television Broadcasting**

Over the past seven years, NTIA has awarded most of its television funds for projects to convert public television stations to digital broadcasting. The FCC's adoption of the *Fifth Report and Order* in April 1997 announced a phased plan to bring all television stations in the United States to digital broadcasting. As part of the FCC's phased plan, each television station was temporarily assigned a second channel ("DTV channel") during the digital transition period. The first major milestone in the FCC's plan required that all public television stations begin the broadcast of a digital signal on their DTV channel by May 1, 2003. In FY 2000, NTIA instituted several new policies regarding applications for projects to convert public television stations to digital transmission capability. NTIA continued those policies during the FY 2001, FY 2002, FY 2003 and FY 2004 grant cycles. During these five grant cycles, PTFP was able to assist in the

digital conversion of approximately 250 public television stations by funding projects which contained over 100 tower-related projects and over 200 digital transmitters and antennas, as well as STLs, intercity microwave relays, encoders, video servers, satellite interconnect, test and monitoring equipment.

For the FY 2005 grant round, PTFP modified its procedures to address an FCC milestone adopted on August 4, 2004, which required digital public television stations to replicate their analog Grade B coverage or to maximize their facilities by July 1, 2006.<sup>2</sup> Stations that did not increase their power by the FCC's July 1, 2006, deadline could lose digital television service protection for the uncovered area.

These two phases of digital conversion are almost complete, as nearly every public television station either has begun digital broadcasting or has funded its conversion and has facilities under construction.

### **(a) Remaining digital conversion requirements and deadlines**

**Full power station transmission equipment.** Section 3002 of Public Law 109-171, known as the Digital Television Transition and Public Safety Act of 2005,<sup>3</sup> directs the FCC to require full-power television stations to cease analog broadcasting and to broadcast solely digital transmissions after February 17, 2009.<sup>4</sup>

As noted earlier, each television station in the United States was temporarily assigned a second channel during the digital transition period. At the end of the digital transition period, stations would cease analog broadcasting and vacate one of their two channels. In the FCC's Second DTV Periodic Review, the FCC adopted a multi-round channel election process by which TV broadcasters would receive their final DTV channel inside the "core" broadcast spectrum (channels 2-51). In February 2005, as the first step in the election process, over 1,600 commercial and noncommercial television stations requested that the FCC assign either their existing analog or digital channel as their final digital channel. A significant number of public

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<sup>2</sup> See Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, Report and Order (*Second DTV Periodic Review*), MB Docket No. 03-15, RM 9832, FCC 04-192, 19 F.C.C. Rcd. 18279, 18281 (2004). Public television stations had to notify the FCC by November 5, 2004, if they intended their digital channel to replicate their analog Grade B service or if they intended to "maximize" their coverage area, i.e., to increase the power of their digital signal beyond that which would only replicate their analog Grade B coverage. The Report established July 1, 2006, as the deadline for public television stations to complete their replication or maximization.

<sup>3</sup> See Title III of the Deficit Reduction Act of 2005, Pub. L. No. 109-171, 120 Stat. 4, 21 (Feb. 8, 2006).

<sup>4</sup> Section 3002(a) of the Act amends Section 309(j)(14)(A) of the Communications Act of 1934 so that analog full-power television licenses will terminate on February 17, 2009. Section 3002(b) of the Act directs the FCC to terminate analog television licenses for full-power stations by February 18, 2009.

television stations (approximately 20-25 percent of the total) elected to move their digital service to their analog channel.<sup>5</sup> In order to broadcast in digital on their current analog channel, however, these stations must either purchase new transmission facilities, including transmitters, antennas, and transmission lines or they must be able to modify their existing facilities.<sup>6</sup> The transmission facilities of those public television stations moving to another channel for their digital broadcasts must be upgraded or replaced to ensure that people viewing public television today will be able to receive public television from digital facilities in the future. Public television stations must begin this transmission upgrade in 2007, so their digital facilities can be constructed during 2008 and completed by the February 17, 2009, deadline. NTIA funding of these transmission projects will be a high priority during the FY 2007 grant cycle. NTIA priorities for digital conversion projects during the FY 2007 grant cycle are discussed in the next section of this document—section (b) *FY 2007 procedures for digital conversion and equipment replacement applications*.

**Translators.** During September 2004, the FCC adopted a Report and Order which established rules for the digital conversion of Low-Power TV (LPTV) stations and translators.<sup>7</sup> In October 2005, the FCC established procedures under which LPTV stations and translators could either (1) file a minor facilities change application for an on-channel digital conversion of their currently authorized analog station (“a flash cut application”) or (2) could apply for a companion digital LPTV or TV translator station.<sup>8</sup> The FCC accepted applications for companion digital LPTV and translator channels in May 2006. Applicants interested in filing applications for companion channels or for the on-channel flash cut of existing facilities should check with the Commission regarding application filing procedures.

NTIA is aware that over 500 translators and LPTV stations provide the only public television service available in many rural areas of the country. Conversion of these translators to digital

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<sup>5</sup> Even though they constructed transmission facilities on their temporary digital channel, stations choose to change their channels due to a variety of reasons including: obtaining better signal propagation and lower long-term operating costs by broadcasting on a lower channel (frequency); inability to use the temporary digital channel due to interference issues; inability to use the temporary digital channel that was assigned by the FCC outside the broadcast core spectrum (channels 2-51), or as part of a multi-station channel election agreement.

<sup>6</sup> The costs of conversion will be highest for the approximately fifty stations now broadcasting a UHF digital signal moving to a VHF channel.

<sup>7</sup> Amendment of Parts 73 and 74 of the Commission’s Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations, Report and Order, MB Docket No. 03-185, 19 F.C.C. Rcd. 19331 (2004). In this Report and Order, the FCC also declined to authorize on-channel digital boosters.

<sup>8</sup> FCC Commences Accepting Applications for On-Channel Digital Conversion of Low Power TV and TV Translator Stations and Announces Availability of Revised Application Forms 346 and 301-CA, Public Notice, DA05-2546, 2005 FCC LEXIS 5461 (Oct. 4, 2005).

broadcasting technologies will ensure the continued availability of public television to all citizens of the country.

The Digital Television Transition and Public Safety Act of 2005 establishes two new programs within NTIA that will assist commercial as well as noncommercial translators, Class A and Low-Power Television facilities to make the digital transition. These new grant programs will *not* be conducted under the PTFP Rules, and announcements regarding these programs are expected to be made in FY 2008 and FY 2009. Under section 3008 of the Act, NTIA can award \$10 million in FY 2008 and FY 2009 to assist in the purchase of a digital-to-analog conversion device that enables a translator, Class A or Low-Power TV facility to convert the incoming digital signal of its corresponding full-power television station to analog for transmission on the facility's analog channel. Under section 3009 of the Act, NTIA can award \$65 million beginning in FY 2009 to upgrade translators, Class A and Low-Power stations from analog to digital in eligible rural communities.<sup>9</sup>

Digital translator projects remain eligible during the FY 2007 grant round. This will enable public television licensees to begin this lengthy and costly conversion and will fulfill NTIA's mandate to "extend delivery of public telecommunications services to as many citizens of the United States as possible by the most efficient and economical means."<sup>10</sup>

**Master control and production equipment.** NTIA also recognizes that conversion of transmission equipment to digital technology, while important, is only part in the conversion of a public television station to digital broadcasting. NTIA believes that many stations have an immediate need to convert their basic master control support infrastructure to store, distribute and broadcast digital signals. In the longer term, many stations will also need to convert their production equipment to digital technologies so they can originate local programming at a technical level that is compatible and comparable in quality with productions available from national sources or other local stations.

For the FY 2007 grant cycle, NTIA continues the procedures it used during the FY 2006 grant cycle regarding funding of digital television equipment to emphasize 1) transmission equipment necessary to broadcast on a station's ultimate DTV channel or for projects that have received a waiver of the July 1, 2006, FCC deadline for power increases of lower-power digital facilities, 2) increased digital conversion of master control equipment and production equipment, and 3) digital conversion of LPTV stations and translator facilities.

For FY 2006, NTIA awarded \$12.3 million to 31 projects which assisted public television stations in the conversion of transmission and master control/production equipment to digital technologies, and also awarded \$1.1 million for eight urgent television equipment replacement projects. The television awards ranged from \$48,712 to \$1,000,000.

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<sup>9</sup> Section 3009 uses the definition of rural communities as defined in Section 610(b)(2) of the Rural Electrification Act of 1937 (7 U.S.C. 950bb(b)(2)) ("any area of the United States that is not contained in an incorporated city or town with a population in excess of 20,000 inhabitants").

<sup>10</sup> 47 U.S.C. § 390(1).

**(b) FY 2007 procedures for digital conversion and equipment replacement applications**

NTIA intends to remain responsive to the equipment replacement needs of public television stations. NTIA's balancing of equipment replacement and digital conversion applications is discussed in the following sections.

In order to assist public broadcasting licensees in converting to digital technologies, NTIA is adopting the application procedures for the FY 2007 grant round which are summarized below and discussed further in the following six portions of this section. There are no changes in these sections from the procedures in place during the FY 2006 grant cycle.

**(1) Subpriorities for digital conversion projects.**

- No change from FY 2006. Transmission equipment required by public television stations to complete their digital broadcast facilities will be considered in Broadcast Other, Subpriority A.
- No change from FY 2006. Digital master control and production equipment for either replacement or digital conversion will receive equal consideration as Broadcast Other, Subpriority B.
- No change from FY 2006. Production equipment, whether for new digital facilities or as replacement equipment, will now be placed in Subpriority B of the Broadcast Other category.
- No change from FY 2006. Digital conversion of translators and LPTV stations has been authorized by the FCC without a deadline. These applications will be placed in Subpriority B.

**(2) Equipment eligible for digital television conversion projects and equipment replacement.**

- No change from FY 2006. Equipment eligible for digital television conversion and replacement is updated each year as appropriate in the on-line Digital TV equipment list, and includes studio and field cameras as well as digital television translators.
- No change from FY 2006. Stand-by power generators and Uninterruptible Power Supply (UPS) units remain on the equipment list for digital conversion and equipment replacement projects.

**(3) Effective date for expenditure of local matching funds for digital television conversion projects.**

- No change from FY 2006. The Closing Date for receipt of FY 2007 applications will be the effective date after which applicants may expend local matching funds for digital television conversion projects.

**(4) Funding levels for television projects.**

- No change from FY 2006. Fifty (50) percent Federal funding will be the general presumption for digital television conversion and television equipment replacement projects.

**(5) Use of Corporation for Public Broadcasting (CPB) matching funds.**

- No change from FY 2006. NTIA has limited the use of CPB funds for the non-federal share of PTFP projects to circumstances of "clear and compelling need."

**(6) Coordination with CPB and the Rural Utilities Service (RUS), U.S. Department**

## of Agriculture.

- No change from FY 2006. Applicants must clearly identify in their applications whether they have applied to CPB or RUS for funding, and list the equipment requested from CPB or RUS.
- No change from FY 2006. It is the applicant's responsibility to ensure that no PTFP funded equipment is also funded by another of these grant programs.

For the FY 2007 grant cycle, NTIA will adopt the following policies regarding digital television conversion and equipment replacement projects.

**(1) Subpriorities for digital conversion projects.** In order to process applications for digital conversion in an orderly manner and to provide guidance to potential applicants for the FY 2007 Grant Round, NTIA will divide the Broadcast Other category into three Subpriorities. Digital television projects will be placed into Subpriorities A and B because the FCC has mandated television's digital conversion and has established a series of deadlines that television stations must meet. (Digital radio conversion projects will be placed in Subpriority C.) NTIA notes that in the past it has been able to fund applications each year in most if not all of the five traditional broadcast Priorities and anticipates that it will be able to do the same in FY 2007. The two Subpriorities for television digital conversion projects are:

### **Broadcast Other, Subpriority A. Television Full-Power Digital Transmission**

**Equipment.** NTIA will assign the following applications for conversion of public broadcasting facilities to advanced digital technologies at the first subpriority level within the Broadcast Other category. These applications are intended to assist public television stations in constructing digital facilities as a result of the FCC's digital channel election procedures or in meeting the FCC-imposed July 1, 2006, deadline regarding transmission power. These projects are in the highest subpriority in order to ensure digital public television signals reach the largest number of United States residents. These applications will receive equal consideration as subpriority A.

- An application to convert the analog transmission facilities of a public television station to digital technology as a result of the FCC's digital channel election process. NTIA recognizes that applicants may have previously received a PTFP grant for transmission equipment for use on their temporary digital channel. Under PTFP's legislation, (47 U.S.C. § 392(g)), NTIA retains a ten-year interest in equipment funded by PTFP.<sup>11</sup> Applications must clearly identify any equipment proposed to replace PTFP-funded equipment that is within the ten-year interest period. The application must also provide a plan regarding the use or disposition of the equipment to be replaced so the Federal interest may continue to be protected. The applicant's plan may include (1) the use of the transmission equipment as standby transmission equipment by the applicant, (2) sale of the transmission equipment at fair market value and a return of a portion of the proceeds to PTFP for award to other applicants, or (3) transfer of NTIA's

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<sup>11</sup> Section 392(g) of the Communications Act states in part that "[i]f, within 10 years after completion of any project for construction of public telecommunications facilities with respect to which a grant has been made under this section—...(2) such facilities cease to be used primarily for the provision of public telecommunications services ... the United States shall be entitled to recover from the applicant or other owner of such facilities the amount bearing the same ratio to the value of such facilities...as the amount of the Federal participation bore to the cost of construction of such facilities." 47 U.S.C. § 392(g). The ten-year interest period starts at the conclusion of the PTFP grant award period.

remaining fiduciary interest to other broadcast equipment not purchased with PTFP funds.

- An application to increase the power of a digital public television station which was initially constructed at a lower power in order to meet the FCC's May 2003 requirement. The stations funded should replicate the station's comparable analog Grade B coverage, unless otherwise justified. Applications for these projects must discuss the status of any waiver of the FCC's July 1, 2006, deadline required to complete the project.

- An application to "maximize" the power of a digital public television station in order to increase population coverage. The applications funded will be expected to document significant population increase beyond the station's comparable analog Grade B coverage. Applications for these projects must discuss the status of any waiver of the FCC's July 1, 2006, deadline required to complete the project.

**Broadcast Other, Subpriority B.** Equipment Replacement Applications and Other Digital Conversion Projects. NTIA will assign the following applications at the second subpriority level within the Broadcast Other category.

- **Digital Conversion and Replacement of Master Control and Production Equipment.** Conversion of a public television station's master control and production equipment is generally considered the next required step in the transition toward full digital conversion. As stations proceed to construct a digital master control, to acquire studio and field production equipment, and to upgrade a production control room, it is necessary that the equipment and systems be compatible and consistent with the digital progress within each station and with public television standards nationwide.

NTIA believes that many stations must replace obsolete analog equipment to complete their digital conversion projects, address multi-channel and High Definition broadcast distribution, and produce programs in digital Standard Definition and High Definition for national, regional or local distribution.

Some stations may proceed to construct a digital master control separate from the station's existing master control, while other stations may upgrade their existing analog master control by replacing the analog equipment. The same situation may occur with a digital production studio control room which in some cases may be newly-constructed and in other cases may be the replacement of production control room equipment in an existing control room.

For master control, production control, production studio equipment and field production equipment, the most cost-effective strategy for a station is to acquire state-of-the-art digital equipment that represents a continuation of the station's transition to full digital conversion. Applications that propose new digital facilities and those that propose the replacement of analog equipment and systems as described above will all be placed in this Subpriority B category under digital conversion and will all receive equal consideration in this category.

Digital conversion of a public television station's production equipment will improve the station's ability to provide public service to its community. NTIA will accept digital television production equipment as part of conversion projects and will place these applications in Subpriority B of the Broadcast Other category. In order to be highly competitive, we expect applicants to address how the equipment will be used to produce programming that is widely distributed on a regional or national basis or that will be used for the creation of High Definition programming.

- **An application to convert a translator or LPTV station to digital.** The FCC has authorized the digital conversion of translators and LPTV stations but has not established a deadline for this conversion. Applications for digital conversion of translators and LPTV

stations will be placed in this Subpriority B category and will be funded only if the project receives authorization from the FCC.

**(2) Equipment eligible for digital television conversion projects and equipment replacement.** For FY 2007, NTIA will support the digital equipment necessary to continue with full digital conversion and with the replacement of analog equipment in master control, production studio control, studio production, and field production. NTIA urges stations to ensure that applications for new digital facilities and for the replacement of analog equipment with digital equipment propose cost-effective projects resulting in equipment and systems that are compatible and consistent with full digital conversion.

NTIA is posting on its Internet site ([www.ntia.doc.gov/ptfp](http://www.ntia.doc.gov/ptfp)), a listing of eligible digital equipment. Printed copies of this list are also available from PTFP at the address shown in the *Address* section of this document. This list takes into consideration all aspects of full digital conversion and includes equipment for transmission, master control, production studio control, studio production, and field production.

All applications for new, digital facilities or for the replacement of analog equipment with digital equipment will receive equal consideration under the Broadcast Other, Subpriority A or B category, as appropriate. Any application which includes equipment replacement as a justification for the urgency criterion should submit documentation of downtime or other evidence in support of the urgency evaluation criterion as contained in § 2301.17 of the PTFP Final Rules. The need to replace existing equipment in order to maintain ongoing services while also incorporating the replacement digital equipment into the station's comprehensive digital conversion plan is likely to strengthen the urgency criterion of a digital conversion application.

For applications to be competitive in the Subpriority B category, applicants are urged to include a summary of their plan for full digital conversion and how the requested equipment would be compatible and consistent with that plan. This digital conversion plan should be incorporated into the explanation that addresses the technical qualifications criterion in the application. Failure to provide information on the applicant's full digital conversion plan will place a television application at a competitive disadvantage during the evaluation of the technical qualification criterion as described in § 2301.17 of the PTFP Final Rules.

**Integrated Master Control Systems.** Applicants may request funds for an integrated master control system during the FY 2007 grant round. NTIA will also permit grant recipients to use PTFP funds awarded for the urgent replacement of master control equipment towards the purchase of equipment compatible with integrated master control systems. Given the limited amount of funds available for award, NTIA anticipates that most master control projects funded by PTFP in FY 2007 will be for individual items of equipment, such as automation systems or a routing switcher, rather than for full integrated master control systems.

**Replacement of Analog and Other Equipment.** NTIA recognizes that stations may require the urgent replacement of equipment that is not part of a station's digital conversion plan. Applicants may submit Priority 2 (or Priority 4) applications when appropriate for the urgent replacement of items such as towers or microwave equipment necessary to ensure continued service. (Requests for towers or microwave equipment which are part of a station's digital conversion plan should be requested under Subpriority B, in the Broadcast Other category.)

NTIA recognizes that some stations are currently serving their primary viewers with failing analog transmitters. Due to the approaching shut-down of analog television broadcasting, NTIA is reluctant to make major investments in analog transmission equipment at this time. We do not anticipate funding applications for replacement of analog transmission equipment during

the regular FY 2007 grant cycle.

NTIA anticipates that PTFP would fund the replacement of analog transmission equipment during the FY 2007 grant cycle only on an emergency basis pursuant to § 2301.10 of the PTFP Final Rules. Emergency funds would be available to provide the minimum support in “clear and compelling” situations where replacement of failed (or clearly failing) transmission equipment is necessary to maintain public television service. In order to be highly competitive, we expect applicants for replacement of analog transmission equipment to thoroughly document the urgent need for replacement and the availability and cost of replacement parts. Applicants should also discuss the usage of the requested analog equipment after the transition to digital is complete, thereby strengthening the protection of the Federal investment in the transmitter (e.g., whether a frequency change for digital is contemplated, thereby permitting the reuse of the analog transmitter on the digital channel).

**Stand-by Power Generators and Uninterruptible Power Supply (UPS) units.** For many years PTFP has funded stand-by power generators and Uninterruptible Power Supply (UPS) units for existing stations when an applicant has documented a pattern of frequent transmitter power outages accompanied by delayed restoration of power. Station activation projects have included stand-by power equipment only if justified by circumstances at the site where the transmitter was to be installed. Such projects will continue to be eligible for funding, but recent events have prompted NTIA to consider other conditions that might justify PTFP support for such equipment.

As a result, PTFP will now regard stand-by power generators and uninterruptible power supply units as essential equipment when justified as discussed in this section. Applications seeking such equipment will be placed in Priority 2 or Priority 4A, according to the category in which the applicant otherwise qualifies for equipment replacement projects. PTFP is prepared to support only the minimum level of equipment required to keep a station’s signal on the air. Stand-by power for STLs may be funded if their inclusion is justified in the same way as transmitters. Emergency power for origination equipment will be considered in addition to transmission equipment when the applicant demonstrates that such equipment is integral to the emergency service it provides. Stand-by generators and UPS units to provide emergency power to entire facilities are not contemplated for PTFP support.

In order to be highly competitive, applicants must support the need for stand-by power by documenting one or more of the following conditions —

- (1) the station is part of a state/regional system to which the public is referred by local authorities for information during an emergency, such as an evacuation from a storm or other event; or
- (2) the station is a relay point for the distribution of emergency information to get it to transmitters beyond its local coverage area; or
- (3) the station is the sole source of emergency information in its service area in contrast to a station that is one of many in area broadcasting the Emergency Alert System; or
- (4) the station has experienced a pattern of frequent transmitter power outages accompanied by delayed restoration of power.

**Closed Captioning Equipment.** For many years, PTFP has included on the list of

eligible costs equipment required to add closed captioning to television programming.<sup>12</sup> The FCC established a series of graduated benchmarks that increase the amount of closed captioned programming stations must broadcast to their viewers. Beginning January 1, 2006, the FCC required that all new programming broadcast by television stations be captioned.<sup>13</sup> Because of this requirement, public television stations are now required to broadcast almost all programming with closed captions, including locally produced programs.

As a result, PTFP will now regard closed captioning equipment as essential equipment. Applications seeking such equipment will be placed in Priority 2 or Priority 4A, according to the category in which the applicant otherwise qualifies for equipment replacement projects.

**Digital Television Translators.** In September 2004 the FCC authorized the use of digital television translators and LPTV stations. Equipment required for these projects has been added to PTFP's equipment list.

**(3) Effective date for expenditure of local matching funds for digital television conversion projects.**

At the beginning of NTIA's digital television conversion initiative in FY 2000, NTIA announced (64 FR 72225-72234) that it would permit applicants to include equipment purchased with non-federal funds after July 1, 1999, as part of their local match in a PTFP application for digital television conversion projects. This date was selected to coincide with the beginning of the 2000 fiscal year used by many state and local governments and NTIA continued the use of this date through the subsequent five PTFP grant cycles.<sup>14</sup>

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<sup>12</sup>Closed captioning permits the hearing impaired to receive news, information and entertainment programming via television. In 1990, Congress enacted the Television Decoder Circuitry Act, Pub. L. No. 101-431, 104 Stat. 960 (1990) (codified at 47 U.S.C. § 303(u), 330(b)), which requires that television receivers with picture screens 13 inches or larger contain built-in decoder circuitry designed to display closed captioned television transmissions. The Act required the FCC to ensure that closed captioning services continued to be available to consumers as new technology developed. In 1991, the FCC amended its rules to include standards for the display of closed captioned text on analog television receivers. *See* 47 CFR § 15.119. In 2000, the FCC updated its rules to include closed captioned decoder requirements for digital television receivers and converter boxes. *See* 47 CFR § 15.122.

<sup>13</sup> *See* 47 CFR § 79.1(b)(1). "New programming" is defined by the FCC as programming prepared for analog television after January 1, 1998, or programming prepared for digital television after July 1, 2002. *See* 47 CFR § 79.1(a)(5). An exception of interest to public television stations includes instructional programming that is locally produced by public television stations for use in grades K-12 and post secondary schools (only covers programming narrowly distributed to individual educational institutions). *See* 47 CFR § 79.1(d)(13).

<sup>14</sup> Section 2301.6(d) of the PTFP Rules permits an applicant to expend its local share after the Closing Date for receipt of applications in a grant cycle. Using the *Federal Register* Notices, NTIA revised this rule during the FY 2000-FY 2005 grant cycles to give applicants wide latitude in expending their local funds to begin the digital conversion process. The NTIA Notice stated that:

NTIA recognizes that many public television stations have begun to raise

With the completion of the phase of digital conversion projects which prompted the temporary revision of the PTFP Rule, NTIA returned to the standard PTFP Rule at the start of the FY 2006 grant round regarding the expenditure of local matching funds. NTIA reiterates that, for the FY 2007 grant round, applicants will be required to follow the standard rule, §2301.6(d) of the PTFP Final Rules, in that applicants will be able to expend their local matching funds only after the Closing Date for this grant round. NTIA, however, will permit those television digital conversion applications that were originally submitted in FY 2005 and that were deferred after both the FY 2005 and the FY 2006 grant rounds to be reactivated for the same equipment in FY 2007, including equipment purchased after July 1, 1999.

NTIA recognizes that the requirement for some stations to rebuild their digital transmission facilities on a second channel is in many ways unprecedented and may place an additional financial burden on stations already strained. While NTIA has ended the July 1, 1999, date for expenditure of local matching funds for digital conversion projects, § 2301.6(b)(2) of the PTFP Final Rules permits an applicant to use equipment acquired prior to the Closing Date for receipt of applications “on a case-by-case basis only when clear and compelling justifications are provided to PTFP.” NTIA also notes that, as discussed in paragraph (5) below, funds received from the Corporation for Public Broadcasting can be used as local matching funds in circumstances of “clear and compelling need” (15 CFR § 2301.6(c)(2)). Applications requesting special assistance pursuant to § 2301.6(b) or (c) of the PTFP Final Rules for digital transmission equipment will be evaluated on the basis of need on a case-by-case basis.

#### **(4) Funding levels for television projects.**

For FY 2007, NTIA will continue the general presumption of 50 percent Federal funding for television replacement, improvement and augmentation projects which is in accordance with § 2301.6(b)(1)(ii) of the PTFP Final Rules. In FY 2005, NTIA returned the presumed Federal share for television digital conversion and equipment replacement projects to 50 percent from the 40 percent that was in effect during the five years FY 2000-2004 .

NTIA recognizes that many small stations, primarily in rural areas, will be unable to raise even a 50 percent local share of the funds required for their PTFP projects. NTIA has long permitted stations to request more than the standard level of Federal support upon a showing of “extraordinary need” per § 2301.6(b)(1)(ii) of the PTFP Final Rules. NTIA will continue to permit any applicant to provide justification that it has an “extraordinary need” for Federal funding up to the legal limit of 75 percent of eligible project costs. Justification for the increased amount will be evaluated by PTFP.

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significant non-Federal funds for their digital conversion projects. State or local governments may have appropriated funds to initiate digital conversion projects that, by local law, must be expended during the fiscal year in which they are awarded. Public television licensees that have raised significant non-Federal funds may desire to take advantage of unique opportunities (such as partnering with other stations to share broadcast antennas or towers). Some stations may be anxious to begin digital conversion projects with long lead times for completion, or may desire to begin digital broadcasting on the same timetable as commercial stations in their market. Within the limitations of Federal regulations, NTIA supports efforts undertaken by public television stations which bring the benefits of digital television broadcasting to their communities as quickly as possible.

Because of the emphasis NTIA places on the extension of broadcast services to unserved areas, NTIA has retained the 75 percent level of Federal funding for applications proposing new television facilities in Priority 1 (§ 2301.4(b)(1)) of the PTFP Final Rules.

**(5) Use of Corporation for Public Broadcasting (CPB) matching funds.** Under the PTFP Rules, NTIA has limited the use of CPB funds for the non-federal share of PTFP projects to circumstances of “clear and compelling need” (15 CFR § 2301.6(c)(2)). NTIA recognizes that it will be difficult for many public television stations to raise the funds required to meet the FCC’s digital broadcasting deadlines. Therefore, NTIA continues its past policy that applicants may submit justification under this section for the use of CPB funds as part of their local match. Any request for the use of CPB funds must be accompanied by a statement regarding any limitations that CPB has placed on the expenditure of those funds.

**(6) Coordination with CPB and the Rural Utilities Service (RUS), U.S. Department of Agriculture.** NTIA is aware that CPB and RUS have grant programs focused on projects to convert public television stations to digital broadcasting. In order to facilitate application processing by the three organizations, applicants for PTFP funds must clearly identify in their application whether they have applied to CPB or RUS for funding and list the equipment requested from CPB or RUS. The submission of an application to CPB or RUS will have no effect on NTIA’s evaluation of the PTFP application. It is the applicant’s responsibility to ensure that no PTFP-funded equipment is funded by another of these grant programs.

#### **4. Distance Learning and Nonbroadcast Projects**

Since 1979, NTIA has funded nonbroadcast distance learning projects through the Special Applications category as established in § 2301.4(a) of the PTFP Final Rules. NTIA encourages applications for innovative or unique distance learning projects which address demonstrated and substantial community needs. For fiscal year 2006, NTIA awarded \$740,169 in funds to 5 grantees for distance learning projects. The awards ranged from \$67,455 to \$253,782.

The growth of digital technologies provides new opportunities for distance learning projects using both broadcast and nonbroadcast facilities. NTIA encourages applicants to consider the use of digital technologies in proposing unique or innovative distance learning projects for funding in FY 2007. Examples of innovative digital applications include projects (1) which use broadband technologies for distance learning, (2) which distribute educational or informational programming via Direct Broadcast Satellite technologies, (3) which provide multi-media content using the digital television transmission infrastructure and delivered through a method that is not a typical broadcast channel, or (4) which incorporate video, voice, graphics and data capabilities for online distance learning services. NTIA also encourages applicants to consider broadcast projects which use the multi-channel capacity of digital television to provide innovative distance learning projects.

All distance learning applications must address substantial and demonstrated needs of the communities being served. NTIA is particularly interested in distance learning projects which benefit traditionally underserved audiences, such as projects serving minorities, people living in rural communities, or those living in disadvantaged areas where distance learning services will provide significant educational opportunities.

NTIA recognizes that, due to the multi-channel capability of digital television, distance learning components may well be a part of a digital conversion application. NTIA will, therefore, consider such distance learning proposals under the subpriorities established in the

section related to *Television Broadcasting and Digital Conversion*. If NTIA determines that a broadcast distance learning project is not part of a digital conversion application, NTIA will evaluate the application pursuant to §§ 2301.4(b)(6) and 2301.17 of the PTFP Final Rules.

The November 22, 1991, PTFP Policy Statement (56 FR 59168 (1991)) mentioned in the *Application Forms and Regulations* section discussed a number of issues of particular relevance to applicants proposing nonbroadcast educational and instructional projects and potential improvement of nonbroadcast facilities. These policies remain in effect and will be available to all PTFP applicants as part of the Guidelines for preparing FY 2007 PTFP applications.

## **II. Award Information**

NTIA funding assistance is in the form of grants. Issuance of grants is subject to the availability of FY 2007 funds. Congress has passed an appropriation of \$20 million for the PTFP. In awarding grants, NTIA will strive to maintain an appropriate balance between traditional grants and those to stations converting to digital broadcasting.

The amount of any grants awarded by NTIA will vary, depending on the approved projects. For FY 2006, NTIA awarded \$19.2 million in PTFP funds to 94 projects, including 49 radio awards, 40 television awards and 5 nonbroadcast awards. The radio awards ranged from \$8,000 to \$902,393. The television awards ranged from \$48,712 to \$1,000,000. The nonbroadcast awards ranged from \$67,455 to \$253,782.

Grants are customarily awarded with a start date of October 1.

Construction Grant award periods customarily range from one to two years. Planning Grant award periods customarily are for one year. These customary project periods may be varied based on the specific circumstances of an individual proposal.

## **III. Eligibility Information**

### **A. Eligible Applicants**

To apply for and receive a PTFP Construction or Planning Grant, an applicant must be: (a) a public or noncommercial educational broadcast station; (b) a noncommercial telecommunications entity; (c) a system of public telecommunications entities; (d) a non-profit foundation, corporation, institution, or association organized primarily for educational or cultural purposes; or (e) a state, local, or Indian tribal government (or agency thereof), or a political or special purpose subdivision of a state.

Non-profit organizations that have never received a PTFP grant must supply (1) Certified copy of their Articles of Incorporation, (2) By-laws, and (3) IRS 501(c)(3) letter. An organization that is a government agency/entity, Indian Tribe, or non-profit organization that has received a prior PTFP grant does not have to submit further documentation of eligibility, unless requested.

An applicant whose proposal requires an authorization from the FCC before it can be constructed must be eligible to receive such authorization. No award will be made until the FCC notifies NTIA that the necessary authorization has been or will be granted.

If an applicant does not meet the eligibility requirements, the application will be rejected and returned without further consideration. An applicant may request a preliminary determination of eligibility any time prior to the Closing Date.

## B. Matching Funds Requirements

All PTFP grantees are required to provide local matching funds. No part of a grantee's matching share of the eligible project costs may be met with funds paid by the Federal government, except where the use of such funds to meet a Federal matching requirement is specifically and expressly authorized by the relevant Federal statute. Funds supplied to an applicant by the Corporation for Public Broadcasting (CPB) may be used as a match only upon a clear and compelling showing of need.

PTFP matching requirements are summarized in the following table and explained below.

Priority	Presumed Federal Share for PTFP Projects		
	Type of Project	Television	Radio
<b>Construction Applications</b>			
1A	First Radio or TV signal in a community with local origination	75 percent	75 percent
1B	First Radio or TV signal in a community without local origination	75 percent	75 percent
	Applicant's second Radio or TV facility in a community; (e.g., Upgrade of translator to repeater; Power/coverage upgrades)	50 percent	50 percent
All other Radio and Television projects		50 percent	50 percent
All Nonbroadcast projects		50 percent	50 percent
<b>Planning Applications</b>			
All Radio, TV and Nonbroadcast Applications		75 percent	75 percent
Any applicant can provide justification requesting up to 75 percent for a Construction project or up to 100 percent for a Planning project. The justification will be evaluated by PTFP.			

### 1. Construction Applications

A PTFP Construction Grant may not, by statute, exceed 75 percent of the amount determined by NTIA to be the reasonable and necessary cost of the project. NTIA has set specific Federal percentages for various types of projects, as follows:

NTIA provides the same Federal funding share for radio and television Priority 1 signal expansion applications. The funding limitations for Priority 1A and 1B signal expansion applications were discussed in detail in the earlier section regarding Radio Broadcasting signal expansion. In summary, the funding presumption for Priority 1A radio and television applications is a 75 percent Federal share of eligible project costs. The funding presumption for

Priority 1B radio and television applications is either a 75 percent Federal share or a 50 percent Federal share as explained in the earlier section.

The general presumption for funding all other radio, television and nonbroadcast applications is a 50 percent Federal share.

Any applicant can provide additional justification for additional funding up to the statutory limit. The justification will be evaluated by PTFP.

## **2. Planning Applications**

The Agency may provide up to 100 percent of the funds necessary for the planning of a public telecommunications construction project. The general presumption for projects to plan for a public telecommunications construction project is, however, a 75 percent Federal funding of eligible project costs. A showing of extraordinary need will be taken into consideration as part of the normal application evaluation process for Planning Grants of up to 100 percent of the total eligible project cost.

## **3. General Provisions**

(a) The total project costs of Construction Grants do not normally include the value of eligible apparatus owned or acquired by the applicant prior to the Closing Date. Inclusion of equipment purchased prior to the Closing Date will be considered on a case-by-case basis only when clear and compelling justifications are provided to NTIA. Obligating funds — either in whole or in part — for equipment before the Closing Date is considered ownership or acquisition of equipment. In like manner, accepting title to donated equipment prior to the Closing Date is considered ownership or acquisition of equipment.

(b) If donated equipment is to be used as part of the local match, the application should include a certified appraisal from a qualified, independent engineer as to the age, fair market value, and remaining useful life of the donated items. In addition, the applicant must include a letter from the donor confirming the donation.

(c) No funds from the Federal share of the total project cost may be obligated until the Grant Award Period start date.<sup>15</sup> If an applicant or recipient obligates anticipated Federal Award funds before the start date, the Department may refuse to offer the award or, if the award has already been granted, disallow those costs of the grant. After the Closing Date, the applicant may, at its own risk, obligate non-Federal matching funds for the acquisition of proposed equipment.

## **C. Other**

1. Each PTFP application that is filed in a timely manner, is materially complete, and proposes an eligible project is evaluated by the six criteria described in Section V, below. The first two criteria are qualifying criteria. They are “Applicant Qualifications” and “Financial Qualifications.” Applications meeting the minimum qualifications on these criteria are

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<sup>15</sup> PTFP considers money to be obligated when the applicant enters into any sort of binding commitment to spend the money. This includes the formal acceptance of a bid offering or the issuance of a purchase order.

considered for further review.

2. There is no limit on the number of applications an applicant may submit in any one grant round.

3. Applications not funded in one grant round are deferred by NTIA and must be reactivated pursuant to § 2301.9 of the PTFP Final Rules in order to be considered in a subsequent grant round. PTFP will retain unsuccessful FY 2006 applications through the Closing Date of the FY 2007 grant cycle. Unsuccessful applications not reactivated by the Closing Date of the FY 2007 grant cycle will be destroyed.

#### **IV. Application and Submission Information**

##### **A. Address to Request Application Package**

Application Forms, PTFP Final Rules, Closing Date notification and application guidelines materials may be obtained electronically via the Internet at [ntia.doc.gov/ptfp](http://ntia.doc.gov/ptfp). The entire application may be downloaded from the Internet and several forms can be prepared electronically using PTFP's On-Line Fillable Form. Applications materials can also be found on the Internet at [Grants.gov](http://Grants.gov), the U.S. Government's central storehouse for information on over 1,000 grant programs. To obtain a printed application package either (1) write to NTIA/PTFP, Room H-4812 (PLEASE NOTE THE NEW ROOM NUMBER, effective February 1, 2007), U.S. Department of Commerce, 1401 Constitution Avenue, N.W., Washington, DC 20230; or (2) send an email to [ptfp@ntia.doc.gov](mailto:ptfp@ntia.doc.gov); or (3) telephone (202) 482-5802; or (4) fax a request to (202) 482-2156.

##### **B. Content and Form of Application Submission**

THE FORMAT OF THE PTFP APPLICATION HAS CHANGED FOR 2007. All applicants must use the official OMB-approved Application Forms as listed below for the FY 2007 grant cycle. These forms include a combination of government-wide Standard Forms (SF424, SF424A, SF 424B), Commerce Department forms (CD-346, CD-511, CD-LLL), and PTFP forms (PTFP-2, PTFP-4, PTFP-5). The PTFP forms expire on December 31, 2009. Each page of the official Application forms has the expiration date printed on it and no previous versions of the forms may be used.

To apply for a PTFP grant, an applicant must file an original and five copies of a complete application in paper form or submit the application electronically through [Grants.gov](http://Grants.gov), as noted below. As noted above, the Application Form is available on the Internet and, upon request, will be provided in printed form. PTFP does not accept pre-applications.

All Forms required for a PTFP application, and the On-Line Fillable Form, are available on the Internet at [www.ntia.doc.gov/ptfp/Application/appform.htm](http://www.ntia.doc.gov/ptfp/Application/appform.htm). Applicants can complete many parts of the PTFP application on the Internet using the On-Line Fillable Form found on the PTFP website. This form requires no special software. Applicants will be able to save, edit and print their forms. The software will complete all math additions, transfer and place correct figures in appropriate locations, provide help for each question, and check for common errors. **The form must be printed and submitted with original signatures.** PTFP does not accept facsimile or email applications.

You may also submit your application electronically by completing the application forms available at the Grants.gov website. If your organization is not registered with the Central Contractor Registration, it must do so at [www.ccr.gov](http://www.ccr.gov), then register with ORC, the grants.gov credential service provider at [apply.grants.gov/OrcRegister](http://apply.grants.gov/OrcRegister). The e-business point-of-contact at your organization will then be able to register you as an authorized organization representative. The Grants.gov registration process takes 3-5 business days. Applications filed electronically through Grants.gov do not need the original signatures as required below, except for the CD-346 form which is not available on Grants.gov, but can be found at [www.doc.gov/forms](http://www.doc.gov/forms). CD-346 forms with original signatures must be submitted to PTFP.

A complete application includes the following items:

- **SF 424 “Application for Federal Assistance”** which provides general information about the applicant, the type of project submitted, and the estimated project cost. This form is a certification and the original application must contain an original signature from an authorized representative of the applicant organization.
- **DUNS number must be entered into item 8(c) of the SF 424.** All applicants (nonprofit, state, local government, universities, and tribal organizations) are required to provide a Dun and Bradstreet Data Universal Numbering System (UNS) number when applying for Federal grants. See the October 30, 2002 (67 FR 66177), and April 8, 2003 (68 FR 17000), *Federal Register* notices for additional information. Organizations can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line 1-866-705-5711 or via the Internet ([www.dunandbradstreet.com](http://www.dunandbradstreet.com)).
- **PTFP-2 Form “Application for PTFP Funds”** which requests information specific to the PTFP application, such as the classification of the project, the Priority under which you request the application be reviewed, public broadcasting affiliations (if any), and FCC authorizations required for the project (if any).
- **SF 424A Form, “Budget Information — Non-Construction Programs.”** This form is required from all applicants, in spite of the reference to “non-construction” programs.<sup>16</sup> All applicants must submit only page 1 of the form, and complete only the appropriate lines in item 6, column 1.
- **PTFP-4 Form “Eligible Equipment.”** A listing of equipment and costs requested for a Construction Grant. (Not required for Planning Grants.)
- **Program Narrative** is required from all applicants. It should address the six evaluation criteria described below in Section V. There is a five-page limitation on responses to the first five criteria. (If more discussion of any point is necessary, applicants can supply additional information in an optional exhibit, cross-referenced from the Narrative.) The Narrative should be printed on only one side of the page, have one-inch margins all around, and be in 12-point Times New Roman or its actual equivalent in size. A suggested outline for preparing the

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<sup>16</sup> Another Federal Standard Form, 424C “Budget Information--Construction Programs,” is used for projects to construct highways, airports, etc. and is **not** used by PTFP.

Narrative is included in the online and printed versions of the application materials.

- **PTFP-5, “Exhibit A - Inventory”** is required only from Construction Grant applicants. It is an inventory of the equipment owned by the applicant that corresponds to the equipment requested in the application, or is closely associated with the requested equipment. It should include equipment owned or on order as of the application date and also equipment authorized by any prior PTFP award but not yet ordered.
- **Exhibit B, “Equipment Justification,”** is required only from Construction Grant applicants. It is a narrative explaining the need for the specific equipment requested. Applicants for equipment replacement, improvement, or augmentation projects should thoroughly document the need and urgency of the equipment requested. They are encouraged to submit the following types of documentation to support the urgency of equipment replacement: copies of maintenance logs, letters documenting the unavailability of parts, independent engineers’ evaluations, photographs. This narrative should be printed on only one side of the page, have one-inch margins all around, and be in 12-point Times New Roman or its actual equivalent in size. (Applicants should note that age alone is insufficient justification for replacing equipment.)
- **Exhibit C, “Five-Year Equipment Plan,”** is required from all Construction Grant applicants. The statute authorizing PTFP requires applicants to submit “a 5-year plan outlining the applicant’s projected facilities requirements and the projected costs of such facilities requirements.” PTFP does not specify the format to be used. This information should be printed on only one side of the page, have one-inch margins all around, and be in 12-point Times New Roman or its actual equivalent in size.
- **Exhibit D, “Maps/Documentation of Coverage,”** is required only with applications proposing construction of new broadcast or distance learning facilities; or applicants claiming to be a sole-service station qualifying for Priority 2, but which have significant signal overlap with other stations in the coverage area. These applications should provide maps of the facility’s coverage area and documentation of the number of people receiving service. In the case of broadcast applications, information should be provided regarding the number of people receiving “first service” or “sole service” and “added service” for those already receiving a public broadcasting signal from another station. In the case of distance learning applications, information should be provided regarding the number of people to be served by the project.
- **Exhibit E, “Letters of Support,”** is requested from applicants seeking funds to activate a new public radio or television station or distance learning facility. Letters should document community support for and interest in the services the new facility would provide. Letters should also be submitted from any partner mentioned in the application whose support is critical to the success of the project (e.g., landlord at proposed tower site, partners in new programming initiatives).
- **Exhibit F, “Distribution Agreements.”** These are required only from Construction Grant applicants who rely on someone else’s facilities to distribute programming that the applicant produces. Copies of Distribution Agreements are

usually required from cable access channels, radio/TV reading services produced by non-licensee organizations, users of satellite transponder time, and production houses that do not operate stations. (Public broadcasting entities do not need to submit agreements with PBS, NPR, PRI, etc.)

- **Exhibit G, “Eligibility Documents.”** Non-profit organizations that have never received a PTFP grant must supply (1) Certified copy of their Articles of Incorporation, (2) By-laws, and (3) IRS 501(c)(3) letter in this exhibit. An organization that is a government agency/entity, Indian Tribe, or non-profit organization that has received a prior PTFP grant does not have to submit further documentation of eligibility, unless requested.
- **Exhibits H through Z — Optional.** These are for an applicant to use to submit materials PTFP has not requested but that the applicant believes support its application. NTIA notes that a year’s worth of program guides or press clippings usually adds nothing but weight and bulk to an application. Applicants should NOT submit recordings of any kind — tapes, cassettes, DVD’s, CD’s, MD’s, etc.; any received will be destroyed without being considered.
- **Standard Form 424B, “Assurances — Non-Construction Programs.” (Place under Exhibit AA).** This form is required from all applicants, in spite of the reference to “non-construction” programs, and must have an original signature on the second page.<sup>17</sup>
- **Department of Commerce Form CD-511, “Certification Regarding Lobbying.” (Place under Exhibit AA)** This form is required from all applicants and must have an original signature.
- **Standard Form LLL, “Disclosure of Lobbying Activities.” (Place under Exhibit AA)** This form is required from all applicants that employ lobbyists in an effort to obtain a grant. .
- **Department of Commerce Form CD-346 — “Applicant for Funding Assistance.”** One complete set of CD-346 forms must be submitted by an applicant that is a private, non-profit corporation (e.g., community licensee, private college). The form requests information from key individuals in the applicant organization: (1) each officer (president, vice president, secretary, treasurer); (2) executive director or general manager; (3) chief financial officer, business manager; and (4) project director. CD-346 forms do not have to be filed by organizations that are part of state or local governments, including state or city universities and colleges, nor by Indian tribal governments. (The current printed version of the CD-346 Form indicates that it expired 08/06; the form has been extended by OMB and must be completed as appropriate.)
- **Federal Communications Commission (FCC) Documents.** These are required of all Construction Grant applicants whose projects require new FCC authorization. No grant will be awarded for a project requiring FCC authorization for construction until confirmation is received by NTIA/PTFP from the FCC that the necessary authorization has been or will be issued. In order for PTFP to

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<sup>17</sup> Another Federal Standard Form, 424D “Assurances for Construction Programs,” is used for projects to construct highways, airports, etc. and is **not** used by PTFP.

evaluate the need for the equipment requested, copies of the following FCC applications (or equivalent engineering data) and licenses relevant to the project must be submitted with the PTFP application. This includes applications for permits, construction permits, and licenses already received for:

- Construction of a broadcast station or translator
- Microwave facilities
- ITFS authorizations
- SCA authorization.
- Requests for Extension of Time
- Studio-to-transmitter links (STLs)
- Remote pick-up units
- Satellite uplinks.

After an application has completed the review process described in the next section, Section V, *Application Review Information*, applicants selected for negotiation may be requested to revise and resubmit appropriate portions of the application.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act (PRA), unless that collection displays a currently valid Office of Management and Budget (OMB) control number. The PTFP application form has been cleared under OMB control no. 0660-0003.

### **C. Submission Dates and Times**

Applications for all projects are due in the PTFP Office by 5:00 p.m., Eastern Time, April 6, 2007. This is the **Closing Date**. NTIA does not accept a postmark as proof of meeting the PTFP deadline. NTIA does not accept fax or email application submissions, or weekend deliveries. Applicants must ensure that the carrier they use guarantees delivery of the application by the Closing Date. Applicants should note that all material sent via the U. S. Postal Service (including "Overnight" or "Express Mail") is subject to delivery delays of up to two weeks due to mail security procedures at the Department of Commerce. If an application is received after the Closing Date due to (1) carrier error, when the carrier accepted the package with a guarantee for delivery by the Closing Date and Time, or (2) significant weather delays or natural disasters, NTIA will, upon receipt of proper documentation, consider the application as having been received by the deadline. NTIA will not accept applications posted on the Closing Date or later and received after the deadline.

Applicants submitting applications by hand delivery are notified that all packages must be cleared by the Department of Commerce security office. Entrance to the Department of Commerce Building for security clearance is through entrance #10 on the 15th Street side of the building.

As soon as possible after the Closing Date the designated Administrative Contacts of all applicants are sent notices by email or postcard that their submissions have been received and giving the file number assigned to each application by NTIA.

Applications not received by the deadline will be returned to the applicant. Applications submitted on the old PTFP forms which expired 10/31/2006 will also be returned. NTIA will also reject and return any application that is materially incomplete, or when it finds that either the applicant or the project is ineligible for funding. Applicants will be informed of the reason for

the return of any application.

#### **D. Intergovernmental Review/State Single Point of Contact**

PTFP applications are subject to Executive Order 12372, "Intergovernmental Review of Federal Programs," if the state in which the applicant organization is located participates in the process. Usually submission to the State Single Point of Contact (SPOC) needs to be only the SF 424 and PTFP-2 pages of the application, but applicants should contact their own SPOC offices to find out about and comply with its requirements. The PTFP Internet site has a link to the Office of Management and Budget's home page which has the names and addresses of the SPOC offices. Applicants may directly access the OMB Internet site at (<http://www.whitehouse.gov/omb/grants/spoc.html>). Printed copies of the SPOC list are available from PTFP.

#### **E. Funding Restrictions**

##### **1. Construction Grants**

These grants fund only equipment plus installation costs when installation must be performed by contractors. Eligible equipment for the FY 2007 Grant Round includes the apparatus necessary for the production, interconnection, captioning, broadcast, or other distribution of programming, including but not limited to studio equipment; audio and video storage, processing, and switching equipment; terminal equipment; towers; antennas; transmitters; remote control equipment; transmission line; translators; microwave equipment; mobile equipment; satellite communications equipment; instructional television fixed service equipment; subsidiary communications authorization transmitting and receiving equipment; cable television equipment; and optical fiber communications equipment. No buildings are eligible for funding except for small shelters for transmission equipment

A complete listing of equipment eligible for funding during the FY 2007 Grant Round is posted on the NTIA Internet site at [www.ntia.doc.gov/ptfp/application/equiplist.htm](http://www.ntia.doc.gov/ptfp/application/equiplist.htm) and printed copies are available from PTFP. The PTFP website gives sample equipment lists for all types of projects to indicate the quantities and quality level the program supports and it also lists eligible and ineligible equipment. Printed copies of the lists are available on request. NTIA generally does not fund salary expenses, including staff installation costs, and pre-application legal and engineering fees.

##### **2. Planning Grants**

Salaries are eligible expenses for all Planning Grant applications, but should be fully described and justified within the application. Planning Grants may be expended to lease office equipment, furniture, and space; purchase expendable supplies; and contract with outside consultants. Planning Grant applications cannot include the cost of constructing or operating a telecommunications facility.

##### **3. Audit Costs**

Audits must be performed in accordance with audit requirements contained in Office of Management and Budget Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, revised June 30, 1997, and as revised in the Federal Register on June 27, 2003. OMB Circular A-133 requires that non-profit organizations, government agencies, Indian tribes, and educational institutions expending \$500,000 or more in Federal funds during a one-year period conduct a single audit in accordance with guidelines outlined in the circular. Other audits may be conducted by the Office of the Inspector General. Most PTFP grant recipients are divisions of state and local governments or are public broadcasting facilities, all of which routinely conduct annual audits. NTIA will, therefore, fund audit costs only in exceptional circumstances.

#### **4. Indirect Costs**

Indirect costs for construction applications are not supported by this program. The total dollar amount of the indirect costs proposed in a planning application under this program must not exceed the indirect cost rate negotiated and approved by a cognizant Federal agency prior to the proposed effective date of the award.

#### **F. PTFP Mailing and Delivery Address for Applications**

The mailing and delivery address for PTFP is:

NTIA/PTFP

Room H- 4812 (please note the new room number, effective February 1, 2007)

U.S. Department of Commerce

1401 Constitution Avenue, N.W.

Washington, DC 20230

Hand-deliveries of applications must be made through Room 1874, located at entrance #10 on 15th Street, NW.

PTFP does not accept facsimile submissions, but does provide an On-Line Fillable Form at its Internet site, [www.ntia.doc.gov/ptfp](http://www.ntia.doc.gov/ptfp) and accepts electronic applications submitted through Grants.gov. Further information on the On-Line Fillable Form and Grants.gov is contained in part 2 of this section, *Content and Form of Application Submission*.

#### **V. Application Review Information**

##### **A. Criteria**

Each application that is timely received, is materially complete, and proposes an eligible project will be considered under the evaluation criteria described here. The first two criteria — Applicant Qualifications and Financial Qualifications — are qualifying criteria; applications meeting the minimum qualifications on these criteria will be considered for further review. The remaining four criteria are weighted in the evaluation as follows: Project Objectives and Urgency are given the most weight in the evaluation, Technical/Planning Qualifications and Special Consideration (Involvement of Women and Minorities) are given less weight and are listed in descending order.

**1. Applicant Qualifications.** Documentation that the applicant has or will have the ability to complete the project, including having sufficient qualified personnel to operate and maintain the facility, and to provide services of professional quality.

**2. Financial Qualifications.** Documentation of the applicant's ability to provide non-Federal funds required for the project, including funds for the local match and funds to cover any ineligible costs required for completion of the project; and to ensure long-term financial support for the continued operation of the facility during the Federal interest period.

**3. Project Objectives.** The degree to which the application documents that the proposed project fulfills the objectives and specific requirements of one or more of the categories set forth in Section I; documents the applicant's ability to implement the proposed project; and, if applicable, adequately justifies the need for Federal funds in excess of the percentages set out above, at Section III, 2.

**4. Urgency.** Justification of funding the proposed project during the current grant cycle, or, if appropriate, that the condition of existing equipment justifies its prompt replacement.

**5. (a). Technical Qualifications (construction applicants only).** Documentation that the eligible equipment requested is necessary to achieve the objectives of the project; that the proposed costs reflect the most efficient use of Federal funds in achieving project objectives; that the equipment requested meets current industry performance standards (and FCC standards, if appropriate); and that an evaluation of alternative technologies has been completed that justifies the selection of the requested technology (where alternative technologies are possible).

**5 (b). Planning Qualifications (planning applicants only).** Documentation of the feasibility of the proposed planning process and timetable for achieving the purpose of the project; that costs proposed reflect the most efficient use of Federal funds; that the applicant has sufficient qualified staff or consultants to complete the project with professional results; and that an evaluation of alternative technologies will be incorporated into the plan, as appropriate.

**6. Special Consideration (Involvement of Women and Minorities).** For this criterion, applicants should demonstrate that their project will achieve significant diversity in the ownership of, operation of, and participation in public telecommunications facilities. Applicants may demonstrate how their project will better serve the characteristics, values, and attitudes of diverse listeners by promoting the development of more effective programming strategies, conducting station outreach projects, through audience development efforts, and through the participation of minorities and women on the Board of Directors, and in other policy making positions.

The Agency provides applicants with guidance in both the online and printed application materials on meeting each of the evaluation criteria.

**Cost Sharing.** An applicant's proposed cost sharing is not one of the evaluation criteria which determines whether a grant is awarded. If the proposed cost sharing is above the funding levels discussed in Section III, the justification provided for the cost sharing is evaluated to determine the level of Federal participation in any eventual award.

## **B. Review and Selection Process**

The competitive review process will include an evaluation based on the above criteria by at least three independent reviewers. These reviewers should have demonstrated expertise in either public broadcasting or distance learning and should not be affiliated with organizations that have

an application before NTIA/PTFP. The competitive review process may also include evaluation by PTFP staff; technical assessment by engineers; and rating by a national advisory panel, composed of representatives of major national public radio and television organizations. State telecommunications organizations and State Single Point of Contact offices, per Executive Order 12372, also may provide recommendations on applications under consideration.

PTFP places a summary of applications received on the Internet. Listing an application merely acknowledges receipt of an application to compete for funding with other applications. This listing does not preclude subsequent return of the application or disapproval of the application, nor does it assure that the application will be funded. The listing will also include a request for comments on the applications from any interested party. Applicants must make a copy of their application available for public inspection during normal business hours. Any opposing public comments must contain a certification that a copy of the comments has been delivered to the applicant. Public comment and replies from the applicant are considered during the evaluation of the application.

The reviewer's ratings are provided to the PTFP staff and a rank order is prepared by priority and score. The PTFP program staff prepares summary recommendations for the PTFP Director. These recommendations incorporate the review panels' evaluations and recommendations; technical assessments by engineers; and input from the National Advisory Panels, state Single Point of Contact offices, and state telecommunications agencies. Staff recommendations also consider project impact, the cost/benefit of a project, and whether the review panels consistently applied the evaluation criteria. The PTFP Director considers the summary recommendations prepared by program staff, recommends the funding order of the applications, and presents recommendations to the Associate Administrator, Office of Telecommunications and Information Applications, for review and approval of the recommended slate. The Director's recommendations and the Associate Administrator's review and approval take into account the following selection factors:

- (a) The program staff recommendations, including the review panels' evaluations;
- (b) The type of projects and broadcast priorities set forth at § 2301.4 of the PTFP Final Rules (see Section D);
- (c) Whether the application is for broadcast or a non-broadcast project;
- (d) Whether the applicant has any current NTIA grants;
- (e) The geographic distribution of the proposed grant awards; and
- (f) The availability of funds.

Upon approval by the Associate Administrator, the Director's recommendations are presented to the Selecting Official, the NTIA Administrator. The Administrator makes final award selections taking into consideration the Director's recommendations and the degree to which the slate of applications, taken as a whole, satisfies the program's stated purposes.

Prior to award, applications may be negotiated between PTFP staff and the applicant to resolve any differences between the original request and what NTIA is willing to consider funding. Some applications may be dropped from the slate due to lack of FCC authorization, an applicant's inability to make adequate assurances or certifications, or other reasons. Negotiation of an application does not ensure that a final award will be made.

### **C. Anticipated Announcement and Award Dates**

PTFP grant awards are usually announced toward the end of September with a starting date

of October 1.

## **VI. Award Administration Information**

### **A. Award Notices**

Successful applicants are sent a standard Department of Commerce Grant Award package, Form CD-450, containing all of the terms and conditions of the award. The CD-450 signed by the grants officer is the authorizing document and is sent to the applicant's designated Administrative Contact via overnight delivery service, thus a street address is very important and must be included on the first page of the application. Planning Grant awards include the final approved budget, and Construction Grant awards list the equipment approved for acquisition with grant funds. Two copies of the CD-450 must be signed and returned to the National Institute of Standards and Technology, Grants and Agreements Management Division (NIST/GAMD) within 30 days. NIST/GAMD provides grant administrative services for all PTFP grants.

Unsuccessful applicants are notified by a letter from the PTFP Director. Unsuccessful applications are designated "deferred" and may be re-activated in the next grant round. A given application can be considered in a maximum of three grant rounds.

### **B. Administrative and National Policy Requirements**

#### **1. General Conditions**

During the Grant Award Period and the ten-year Federal interest period, the grantee must:

- (a) Continue to be an eligible organization;
- (b) Obtain and continue to hold any necessary FCC authorization(s);
- (c) Use the Federal funds for which the grant was made for the equipment and other expenditures specified in the award document, except that the grantee may substitute other items where necessary or desirable to carry out the purpose of the project if approved in advance in writing by the Department;
- (d) Use the facilities, and any monies generated through the use of the facilities, primarily for the provision of public telecommunications services and ensure that any use of the facilities for other than public telecommunications purposes does not interfere with the provision of the public telecommunications services for which the grant was made;
- (e) Not make its facilities available to any person for the broadcast or other transmission intended to be received directly by the public of any advertisement, unless such broadcast or transmission is expressly and specifically permitted by law or authorized by the FCC;
- (f) State when advertising for bids for the purchase of equipment that the Federal government has an interest in facilities purchased with Federal funds under this program that begins with the purchase of the facilities and continues for ten years after the completion of the project; and
- (g) Not use nor allow the use of the Federally funded equipment for purposes the essential thrust of which are sectarian for the useful life of the equipment even when this extends beyond the ten-year Federal interest period.

## **2. Payment of Federal Funds**

As a general matter, the Department expects grantees to expend local matching funds at a rate at least equal to the ratio of the local match to the Federal grant as stipulated in the grant award. The Department will not make any payment under an award, unless and until the recipient complies with all relevant requirements. Additionally:

(a) The Department will not make any payment until it receives confirmation that the FCC has granted any necessary authorization;

(b) The Department may not make any payment under an award unless and until all special award conditions stated in the award documents that condition the release of Federal funds are met; and

(c) An agreement to share ownership of the grant equipment (e.g., a joint venture for a tower) must be approved by the Department before any funds for the project will be released.

## **3. Protection of Equipment**

(a) To ensure that the Federal investment in the facilities funded under the Act will continue to be used to provide public telecommunications services to the public during the Federal interest period, NTIA may require a grantee to execute and record a document establishing that the Federal government has a priority lien on any facilities purchased with funds under the Act during the period of continuing Federal interest, and file a certified copy of the recorded lien with the Administrator ninety days after the grant award is received.

(b) Grantees must maintain protection against common hazards through adequate insurance coverage or other equivalent undertakings, except that, to the extent the applicant follows a different policy of protection with respect to its other property, the applicant may extend such policy to apparatus acquired and installed under the project. The grantee shall purchase flood insurance (in communities where such insurance is available) if the facilities will be constructed in an area that has been identified by the Federal Emergency Management Agency as having special flood hazards.

(c) Grantees may not dispose of or encumber their title or other interest in the equipment acquired under a PTFP grant during the Federal interest period.

(d) Grantees must demonstrate that they have obtained appropriate title or lease satisfactory to protect the Federal interest to the site or sites on which apparatus in the project will be operated. The grantee must have the right to occupy, construct, maintain, operate, inspect, and remove the project equipment without impediment to ensure the continuity of operation of the facility; and nothing must prevent the Federal government from entering the property and reclaiming or securing PTFP-funded apparatus.

## **C. Reporting**

### **1. Reports Submitted to PTFP**

The following required reports may be submitted to PTFP via the Internet through the PTFP On-Line Reporting and Tracking System (PORTS) or via the submission of two paper copies.

(a) Construction Schedule or Planning Timetable. Within thirty calendar days of the award date grantees must submit a construction schedule or a revised planning timetable.

(b) Quarterly Performance Reports. During the Grant Award Period, grantees must submit performance reports on a calendar year quarterly basis for the periods ending March 31, June 30, September 30, and December 31, or any portions thereof. The reports contain a comparison of actual accomplishments during the reporting period with the goals and dates established in the Construction Schedule for that reporting period. Construction projects must also include a list of equipment purchased during the reporting period compared with the equipment authorized.

(c) Planning Draft Final Report. Planning Grant recipients must submit a draft of the Final Report on their projects forty-five days before the end of the Grant Award Period for review for consistency with the goals and objectives, activities, and budget of the project.

(d) Close-out documents. Full close-out documentation must be submitted within ninety days following project completion or the expiration of the Grant Award Period, whichever comes first.

(1) Construction Grants. Documentation for construction grants consists of a certification of completion of the project, certification that the grantee has the necessary FCC licenses or site right required for the project, certification of insurance coverage for the funded equipment, an accurate final inventory of equipment purchased, and lien forms establishing the Federal government's priority reversionary interest in all equipment purchased.

(2) Planning Grants. Documentation for planning grants consists of a certification of completion of the project, the Final Report, and a report of project expenditures. The Final Report consists of the following:

- (i) An executive summary, including results and conclusions;
- (ii) Complete list of actual project expenditures that conforms and compares to the approved project budget;
- (iii) Detailed discussion of the planning process followed;
- (iv) Detailed discussion of the results and conclusions, including justification and support for the conclusions reached; and
- (v) The following appendices:
  - (A) Copies of all studies or reports developed as part of the planning process;
  - (B) Lists of all meetings held as part of the planning process, including an agenda and the names and titles of those who took part in each meeting; and
  - (C) Copies of all any engineering studies and FCC applications generated by the project.

(e) Annual Status Reports. Organizations that have received Construction Grants from the Public Telecommunications Facilities Program are required to submit an Annual Status Report for every grant project that is in the Federal interest period. By statute, this is the ten-year period during which the Federal government retains a reversionary interest in all equipment purchased under the project. The Federal interest period commences with the project completion date, as established by NTIA/PTFP. Annual Status Reports are due on or before April 1 in each of the ten years of a grant's Federal interest period.

## **2. Reports Submitted to the National Institute of Standards and Technology, Grants and Agreements Management Division**

Financial Status Reports (form SF-269) must be submitted in paper copy to the National Institute of Standards and Technology, Grants and Agreements Management Division (NIST/GAMD) for the six-month periods ending March 31 and September 30, or any portion thereof whether there is any financial activity or not. The reports are due no later than April 30

and October 31, respectively. Failure to provide Financial Status Reports in a timely manner will result in an adverse action being taken. This includes suspension of payment, suspension of award or any other action allowable under the uniform administrative requirements governing the award. A final Financial Status Report must be submitted within ninety days after the expiration of the Grant Award Period. Completed reports are submitted to NIST/GAMD, not to NTIA/PTFP.

## VII. Agency Contacts

PTFP Program Officers are prepared to give technical assistance to potential applicants before the Closing Date, within available resources. They may be contacted by telephone at (202) 482-5802, by fax at (202) 482-2156, or by mail at the address given in Section IV (*PTFP mailing and delivery address for applications*), above. PTFP's email address is [ptfp@ntia.doc.gov](mailto:ptfp@ntia.doc.gov).

The program officers, their email addresses, direct phone numbers, and their areas of responsibility are listed below:

Lynn Chadwick  
[lchadwick@ntia.doc.gov](mailto:lchadwick@ntia.doc.gov)

**Broadcast projects** from states in the western United States and the U.S. Territories in the Atlantic Ocean.

(202) 482-8338

Arizona, Colorado, Idaho, Montana, New Mexico, Nevada, Puerto Rico, Texas, Utah, Virgin Islands, and Wyoming

Larry Dyer  
[ldyer@ntia.doc.gov](mailto:ldyer@ntia.doc.gov)

**Broadcast projects** from states in the Great Plains.

202-482-1762

Arkansas, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Wisconsin

Robert Sestili  
[rsestili@ntia.doc.gov](mailto:rsestili@ntia.doc.gov)

**Broadcast projects** from states along the Pacific Coast and the southeast.

(202) 482-2141

Alaska, Alabama, American Samoa, California, Florida, Georgia, Guam, Hawaii, Marianas Protectorate, Mississippi, Oregon, and Washington

**Non-Broadcast and Distance Learning** projects from all states

Walter Sheppard  
wsheppard@ntia.doc.gov

(202) 482-1949

**Broadcast projects** from most states in the eastern United States.

Connecticut, Delaware, District of Columbia, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia

Applicants may also contact:

William Cooperman  
[wcooperman@ntia.doc.gov](mailto:wcooperman@ntia.doc.gov)  
(202) 482-5802

Director

Charles Mellone  
[cmellone@ntia.doc.gov](mailto:cmellone@ntia.doc.gov)  
(310) 456-1357

Chief Engineer  
Equipment questions from all applicants

[OTIADBHelp@ntia.doc.gov](mailto:OTIADBHelp@ntia.doc.gov) Contact for electronic access problems

Frequently Asked Questions about PTFP grants and applications are answered online at [www.ntia.doc.gov/ptfp](http://www.ntia.doc.gov/ptfp) and in printed application materials.

Questions regarding Department of Commerce grant policies may be directed to:

Joyce Brigham  
[Joyce.brigham@nist.gov](mailto:Joyce.brigham@nist.gov)  
(301) 975-6329

NIST/GAMD Grants Officer

## **VIII. Other Information**

### **A. NTIA Policies on Procedural Matters**

Based upon NTIA's experience during the PTFP 2006 Grant Round, NTIA has determined that it is in the best interest of NTIA and applicants to continue recent policies regarding three procedural matters. The following policies are applicable only to the FY 2007 PTFP Grant Round and resulting awards.

#### **1. Applications Resulting From Catastrophic Damage or Emergency Situations.**

Section 2301.10 of the PTFP Final Rules provides for submission of applications resulting from catastrophic damage or emergency situations. NTIA would like to clarify its implementation of this provision. For FY 2007 PTFP applicants, when an eligible broadcast

applicant suffers catastrophic damage to the basic equipment essential to its continued operation as a result of a natural or manmade disaster, or as the result of significant equipment failure, and is in dire need of assistance in funding replacement of the damaged equipment, it may file an emergency application for PTFP funding at any time. NTIA limits this request to equipment essential to a station's continued operation such as transmitters, towers, antennas, STLs or similar equipment which, if the equipment failed, would result in a complete loss of service to the community.

When submitting an emergency application, the applicant should describe the circumstances that prompt the request and should provide appropriate supporting documentation. NTIA requires that applicants claiming significant failure of equipment will document the circumstances of the equipment failure and demonstrate that the equipment has been maintained in accordance with standard broadcast engineering practices.

NTIA will grant an award only if it determines that (1) the emergency satisfies this policy, and (2) the applicant either carried adequate insurance or had acceptable self-insurance coverage.

Applications filed and accepted for emergency applications must contain all of the information required by the Agency application materials and must be submitted in the number of copies specified by the Agency.

NTIA will evaluate the application according to the evaluation criteria set forth in § 2301.17(b) of the PTFP Final Rules. The PTFP Director takes into account program staff evaluations (including the independent reviewers), the availability of funds, the type of project and broadcast priorities set forth at § 2301.4(b) of the PTFP Final Rules, and whether the applicant has any current NTIA grants. The Director presents recommendations to the Office of Telecommunications and Information Applications (OTIA) Associate Administrator for review and approval. Upon approval by the OTIA Associate Administrator, the Director's recommendation will be presented to the Selecting Official, the NTIA Administrator. The NTIA Administrator makes final award selections taking into consideration the Director's recommendation and the degree to which the application fulfills the requirements for an emergency award and satisfies the program's stated purposes set forth at § 2301.1(a) and (c) of the PTFP Final Rules.

## **2. Service of Applications**

FY 2007 PTFP applicants are not required to submit copies of their PTFP applications to the FCC, nor are they required to submit copies of the FCC transmittal cover letters as part of their PTFP applications. NTIA routinely notifies the FCC of projects submitted for funding which require FCC authorizations.

FY 2007 PTFP applicants for distance learning projects are not required to notify every state telecommunications agency in a potential service area. Many distance learning applications propose projects which are nationwide in nature. NTIA, therefore, believes that the requirement to provide a summary copy of the application to every state telecommunications agency in a potential service area is unduly burdensome to applicants. NTIA, however, does expect that distance learning applicants will notify the state telecommunications agencies in the states in which they are located.

## **3. FCC Authorizations**

For the FY 2007 PTFP Grant Round, applicants may submit applications to the FCC after the Closing Date, but do so at their own risk. Applicants are urged to submit their FCC applications with as much time before the PTFP Closing Date as possible. No grant will be awarded for a project requiring FCC authorization until confirmation has been received by NTIA from the FCC that the necessary authorization has been or will be issued.

For FY 2007 PTFP applications, since there is no potential for terrestrial interference with Ku-band satellite uplinks, applicants may submit applications to the FCC for Ku-band satellite uplinks after a PTFP award is made. Grant recipients for Ku-band satellite uplinks will be required to document receipt of FCC authorizations to operate the uplink prior to the release of Federal funds.

For FY 2007 PTFP applications, NTIA may accept FCC authorizations that are in the name of an organization other than the PTFP applicant in certain circumstances. Applicants requiring the use of FCC authorizations issued to another organization should discuss in the application Program Narrative why the FCC authorization must be in the other organization's name. NTIA believes that such circumstances will be rare and, in its experience, are usually limited to authorizations such as those for microwave interconnections or satellite uplinks.

As noted above, for FY 2007 PTFP applications, NTIA does not require that the FCC applications be filed by the Closing Date. While NTIA is permitting submission of FCC applications after the Closing Date, applicants are reminded that they must continue to provide copies of FCC applications, as they were filed or will be filed, or equivalent engineering data, in the PTFP application so NTIA can properly evaluate the equipment request. These include applications for permits, construction permits and licenses already received for (1) construction of a broadcast station, (including a digital broadcasting facility) or translator, (2) microwave facilities, (3) ITFS authorizations, (4) SCA authorizations, and (5) requests for extensions of time.

For those applicants whose projects require authorization by the FCC, information about FCC filing procedures can be found on the Internet at: [www.fcc.gov](http://www.fcc.gov).

## **B. Department of Commerce Procedural Matters**

The Department of Commerce Pre-Award Notification of Requirements for Grants and Cooperative Agreements contained in the Federal Register notice of December 30, 2004 (69 FR 78389) is applicable to this solicitation.