

## § 73.5009

purposes of determining its eligibility for the new entrant bidding credit, if the equity (including all stockholdings, whether voting or nonvoting, common or preferred) and debt interest or interests, in the aggregate, exceed thirty-three (33) percent of the total asset value (defined as the aggregate of all equity plus all debt) of the winning bidder.

[63 FR 48629, Sept. 11, 1998, as amended at 64 FR 24527, May 7, 1999; 64 FR 44858, Aug. 18, 1999]

### § 73.5009 Assignment or transfer of control.

(a) The unjust enrichment provisions found at §§1.2111(b) through (e) of this chapter shall not apply to applicants seeking approval of a transfer of control or assignment of a broadcast construction permit or license within three years of receiving such permit or license by means of competitive bidding.

(b) The ownership disclosure requirements found at §1.2112(a) of this chapter shall not apply to an applicant seeking consent to assign or transfer control of a broadcast construction permit or license awarded by competitive bidding.

[67 FR 45375, July 9, 2002, as amended at 68 FR 43000, July 21, 2003]

## Subpart J—Class A Television Broadcast Stations

SOURCE: 65 FR 30009, May 10, 2000, unless otherwise noted.

### § 73.6000 Definitions.

*Locally produced programming.* For the purpose of this subpart, locally produced programming is programming:

(1) Produced within the predicted Grade B contour of the station broadcasting the program or within the contiguous predicted Grade B contours of any of the stations in a commonly owned group; or

(2) Programming produced at the station's main studio.

NOTE TO § 73.6000: See *Report and Order*, In the Matter of Establishment of a Class A Television Service, MM Docket No. 00-10, released April 4, 2000; *Memorandum Opinion and Order on Reconsideration*, In the Matter of Es-

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tablishment of a Class A Television Service, MM Docket No. 00-10, released April 13, 2001.

[66 FR 21690, May 1, 2001]

### § 73.6001 Eligibility and service requirements.

(a) Qualified low power television licenses which, during the 90-day period ending November 28, 1999, operated their stations in a manner consistent with the programming and operational standards set forth in the Community Broadcasters Protection Act of 1999, may be accorded primary status as Class A television licensees.

(b) Class A television broadcast stations are required to:

(1) Broadcast a minimum of 18 hours per day; and

(2) Broadcast an average of at least three hours per week of locally produced programming each quarter.

(c) Licensed Class A television broadcast stations shall be accorded primary status as a television broadcaster as long as the station continues to meet the minimum operating requirements for Class A status.

(d) Licensees unable to continue to meet the minimum operating requirements for Class A television stations, or which elect to revert to low power television status, shall promptly notify the Commission, in writing, and request a change in status.

### § 73.6002 Licensing requirements.

(a) A Class A television broadcast license will only be issued to a qualified low power television licensee that:

(1) Filed a Statement of Eligibility for Class A Low Power Television Station Status on or before January 28, 2000, which was granted by the Commission; and

(2) Files an acceptable application for a Class A Television license (FCC Form 302-CA).

### §§ 73.6003-73.6005 [Reserved]

### § 73.6006 Channel assignments.

Class A TV stations will not be authorized on UHF TV channels 52 through 69, or on channels unavailable for TV broadcast station use pursuant to § 73.603 of this part.