

**§ 73.615**

the channel to be employed is located in Zone I.

[28 FR 13660, Dec. 14, 1963, as amended at 42 FR 20823, Apr. 22, 1977; 42 FR 48881, Sept. 26, 1977; 47 FR 35990, Aug. 18, 1982; 50 FR 23698, June 5, 1985; 56 FR 49707, Oct. 1, 1991; 58 FR 51250, Oct. 1, 1993]

**§ 73.615 Administrative changes in authorizations.**

In the issuance of television broadcast station authorizations, the Commission will specify the transmitter output power and effective radiated power to the nearest 0.1 dBk. Power specified by kW's shall be obtained by converting dBk to kW's to 3 significant figures. Antenna heights above average terrain will be specified to the nearest meter. Midway figures will be authorized in the lower alternative.

[50 FR 23698, June 5, 1985]

**§ 73.621 Noncommercial educational TV stations.**

In addition to the other provisions of this subpart, the following shall be applicable to noncommercial educational television broadcast stations:

(a) Except as provided in paragraph (b) of this section, noncommercial educational broadcast stations will be licensed only to nonprofit educational organizations upon a showing that the proposed stations will be used primarily to serve the educational needs of the community; for the advancement of educational programs; and to furnish a nonprofit and noncommercial television broadcast service.

(1) In determining the eligibility of publicly supported educational organizations, the accreditation of their respective state departments of education shall be taken into consideration.

(2) In determining the eligibility of privately controlled educational organizations, the accreditation of state departments of education or recognized regional and national educational accrediting organizations shall be taken into consideration.

(b) Where a municipality or other political subdivision has no independently constituted educational organization such as, for example, a board of education having autonomy with respect to carrying out the municipal-

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ity's educational program, such municipality shall be eligible for a noncommercial educational television broadcast station. In such circumstances, a full and detailed showing must be made that a grant of the application will be consistent with the intent and purpose of the Commission's rules and regulations relating to such stations.

(c) Noncommercial educational television broadcast stations may transmit educational, cultural and entertainment programs, and programs designed for use by schools and school systems in connection with regular school courses, as well as routine and administrative material pertaining thereto.

(d) A noncommercial educational television station may broadcast programs produced by or at the expense of, or furnished by persons other than the licensee, if no other consideration than the furnishing of the program and the costs incidental to its production and broadcast are received by the licensee. The payment of line charges by another station, network, or someone other than the licensee of a noncommercial educational television station, or general contributions to the operating costs of a station, shall not be considered as being prohibited by this paragraph.

(e) Each station shall furnish a nonprofit and noncommercial broadcast service. Noncommercial educational television stations shall be subject to the provisions of § 73.1212 to the extent that they are applicable to the broadcast of programs produced by, or at the expense of, or furnished by others. No *promotional announcements on behalf of for profit entities* shall be broadcast at any time in exchange for the receipt, in whole or in part, of consideration to the licensee, its principals, or employees. However, acknowledgements of contributions can be made. *The scheduling of any announcements and acknowledgements may not interrupt regular programming.*

NOTE: Commission interpretation of this rule, including the acceptable form of acknowledgements, may be found in the Second Report and Order in Docket No. 21136 (Commission Policy Concerning the Noncommercial Nature of Educational Broadcast Stations), 86 F.C.C. 2d 141 (1981); the Memorandum Opinion and Order in Docket No.