



### Reimbursement Process

#### *How does an FM station request reimbursement?*

If you intend to request reimbursement for eligible expenses for an eligible FM station, you must file two FCC forms and related supporting documents: 1) an FCC Form 2100, Schedule 399 (Reimbursement Form or Form 399), accessible in the Commission's Licensing and Management System (LMS), and associated documentation/invoices; and 2) a signed, notarized FCC Form 1876 (Banking Form or Form 1876), which is accessible in the Commission Registration System (CORES) Incentive Auction Financial Module (CIAFM), so the Commission knows where to send payments. **The deadline for filing an initial Form 399 is October 15, 2019.** There is no deadline for filing a Form 1876, but one must be filed and reviewed by Commission staff before any reimbursement payments can be made.

**Form 399** is used both to establish eligibility and to request reimbursement for eligible expenses incurred as a result of the television channel repack. You must establish eligibility by completing a one-time certification demonstrating that you meet the eligibility criteria (Eligibility Certification). You will need to include the following:

- The Facility ID number(s) of the repacked full power or Class A television station(s) that caused the FM Facility to incur costs to reasonably minimize disruption of its service;
- A description of why the station will incur (or has already incurred) costs to reasonably minimize disruption of service as a result of the repack of the specified full power or Class A television station(s), including why the FM station is or will be required to take one or more of the following actions:
  - (a) permanently relocate its main transmission site;
  - (b) temporarily dismantle all or some of the facilities at its main transmission site; and/or
  - (c) construct or modify interim auxiliary facilities;
- Information about the station's existing broadcasting equipment;
- Estimates and/or actual cost documentation for eligible expense items (you may use the Cost Catalog embedded in Schedule 399 for estimates);
  - For an FM station to demonstrate that it must construct or modify interim auxiliary facilities to reasonably minimize service disruption due to the TV repack, the FM station must certify that its primary or existing auxiliary facilities would lose more than 20 percent of the station's normal covered population or more than 20 percent of its normal coverage area, and service would be lost for more than 24 hours and would not be limited to the hours 12 AM to 5 AM local time. Such FM station must also provide the following through LMS:

- (a) Contour maps showing 60 and 70 dB $\mu$  contours from the station's main transmission site for both full-power and reduced-power transmissions, including total area covered for all contours and total population covered for all contours, based on Census Bureau population centroids;
- (b) Contour maps showing the 60 and 70 dB $\mu$  contours from the interim auxiliary facilities transmission site, and state the area and population covered under both contours;
- (c) All date(s) and time(s) that broadcast transmissions at the main transmission site were or will be required to cease or to operate at reduced power from the FM station's primary facility: and
- (d) All date(s) and time(s) that broadcast transmissions were or will be made from the interim auxiliary facilities constructed using funds from the Fund.

**Form 1876** includes banking and payment instructions for each station. The station must create an FCC Username Account in the FCC User Registration System. The FCC Username Account must be associated with the entity's FCC Registration Number (FRN). Each FRN must have at least one FCC Registration Number Administrator (FRN Administrator).

- The FRN Administrator must log in to the CIAFM and enter all requested information. The CIAFM will then generate a Form 1876 in PDF format for signature. The CIAFM will not allow the Form 1876 to be printed unless all required fields are completed.
- A person with authority to bind the station (e.g. a corporate officer or owner) must sign the completed, printed Form 1876, have it notarized, **and mail the original signed and notarized Form 1876 to the Commission, together with a bank account verification letter or a redacted bank statement** (dated within six months of the signature on the Form 1876) that confirms ownership of the account for each FIN/File Number receiving reimbursement.
- After FCC staff has determined that all required information has been provided on the Form 1876, an email notification will be sent to the station stating that the station has 10 business days to review and verify bank account information for that FIN/File Number in the CIAFM. If the information is incorrect, the station must submit a new Form 1876.
- No reimbursement payment will be made if the bank account information in the CIAFM is not verified.

***What is the Reimbursement Fund claims process for FM stations?***

- Submit Eligibility Certification **by October 15, 2019**, using Form 399 in LMS.
- Submit estimates and/or invoices for incurred expenses **by October 15, 2019**, using Form 399 in LMS.
- Submit banking information in CIAFM.
- Receive an allocation from the Commission, viewable in CIAFM.
- Submit additional invoices for incurred expenses using Form 399 in LMS, as necessary.

- Respond to a Request for Information (RFI) (if the FCC or its Fund Administrator needs more information in order to process a payment request, you will receive an RFI via email).
- Receive electronic payment(s).
- Close out your project when complete using Form 399 in LMS. You must submit a final Form 399 to notify the Commission that you have submitted all requests for reimbursement and associated supporting documentation.
- Receive a financial reconciliation statement that specifies verified, estimated amounts; allocated amounts; amounts requested for reimbursement; and amounts disbursed by the Commission.
- The final account close-out for each entity will occur no later than July 3, 2023.

## **Reimbursement Eligibility**

### ***What is the Reimbursement Expansion Act (REA)?***

In March 2018, Congress adopted the REA, which provides additional funding for the TV Broadcaster Relocation Fund (Reimbursement Fund). The REA also directs the FCC to reimburse costs reasonably incurred by FM stations for facilities necessary to reasonably minimize disruption of service as a result of the reorganization of broadcast television spectrum.

### ***How do I know if I'm eligible for reimbursement?***

FM stations are eligible for reimbursement if they meet the following criteria:

- Certified that they were licensed and transmitting on April 13, 2017, at a facility impacted by a full power or Class A station that was reassigned to a new channel as a result of the incentive auction;
- Incurred costs to reasonably minimize disruption of service because they had to temporarily or permanently relocate, modify their facilities, and/or purchase interim facilities during construction by the reassigned full power or Class A television station; and
- Not been reimbursed for costs by another entity.

### ***When is the Eligibility Certification due?***

The Eligibility Certification is due by October 15, 2019.

### ***Are Low-Power FM (LPFM) stations eligible for reimbursement?***

Yes. LPFM stations qualify for reimbursement.

### ***Are FM translator stations eligible for reimbursement?***

Yes. FM translator stations qualify for reimbursement.

***Can I still seek reimbursement if I've already been reimbursed from another entity?***

No. Any LPTV/translator station that has received – or expects to receive – reimbursement for costs associated with the broadcast television spectrum reorganization from another entity will not be eligible to receive funds from the Reimbursement Fund for the same costs. Duplicative payments are prohibited under the REA.

**Estimates and Allocations**

***When are cost estimates due?***

Cost estimates are due by October 15, 2019.

***What is the purpose of submitting cost estimates?***

FM stations must identify both their existing equipment and the equipment and services they intend to purchase to reasonably minimize disruption of service (or have already purchased if applicable). A station's estimated transition cost will serve as the basis for an initial allocation of funds, against which the station can begin to draw down as it submits reimbursement requests for incurred costs.

***How should stations estimate their costs?***

Stations submit estimates using Form 399 in LMS. A station may either submit an amount within the price range in the Cost Catalog, which is embedded in Form 399 in LMS, for equipment or services, or rely on a price quote from a vendor. For any expenses not listed in the Cost Catalog, the station must submit supporting documentation to justify its cost estimate. In situations where actual costs have already been incurred for some or all of the station's anticipated expenses, stations should utilize the actual cost value as their estimate and should provide the actual cost invoice and other relevant documentation in lieu of vendor quotes or other estimate documents.

***How will cost estimates be evaluated?***

The Fund Administrator will review each cost estimate for reasonableness and may contact the station for clarification or to request additional information.

***How will initial allocations be calculated by the Commission?***

It is the Commission's goal to ensure that reimbursement funds are allocated fairly and consistently across all eligible entities. Reimbursement funds are allocated by the Media Bureau in tranches, with the allocation amounts calculated based on:

- The amount of repacking expenses reported on the estimated cost forms by all eligible entities; and
- The amount of money available in the Reimbursement Fund.

***Will stations be notified when review of their cost estimates is complete?***

Yes, the station's reimbursement contact (as identified on its Reimbursement Form 399) will receive an email indicating review of the station's cost estimates is complete.

## Reimbursable Expenses

### *How does a station submit claims for reimbursement of expenses?*

Stations must submit FCC Form 2100, Schedule 399 (Reimbursement Form or Form 399) accessible via LMS.

### *What standard will be applied to determine whether a cost is reimbursable?*

The reimbursement approval process is designed to ensure that reasonably incurred expenses are paid while at the same time guarding against waste, fraud, and abuse associated with the disbursement of federal funds. The Commission assigned three categories of FM stations that could be affected by disruption of service as a result of the reorganization of broadcast television spectrum, such that they would be eligible for reimbursement. If sufficient funds are available in the Reimbursement Fund to fully reimburse FM stations, Category (1) and Category (2) stations (see definitions below) may be eligible to receive reimbursement for up to 100 percent of eligible costs, similar to the reimbursements provided to impacted full power and Class A stations; Category (3) stations (defined below), whose service is subject to more than a reasonably minimal disruption, for more than a de minimus amount of time, may be reimbursed for their reasonably incurred costs to the same extent as Category (1) and (2) stations.

Generally, stations should be reimbursed for equipment that is comparable to their pre-auction equipment. Stations may choose to upgrade equipment and pay the difference between the cost of reimbursable comparable equipment and the cost of upgraded equipment.

### *What are the three categories of eligible FM stations, and what kind of costs are reimbursable for FM stations?*

- Category (1): FM stations forced to relocate permanently due to the channel reassignment of a full power or Class A television station as a result of the incentive auction. Category (1) stations may submit for reimbursement of reasonable costs to move to relocated facilities including equipment, professional services, and tower construction work.
- Category (2): FM stations forced to temporarily dismantle or modify their physical facilities due to the channel reassignment of a full power or Class A television station as a result of the incentive auction. Category (2) stations may submit for reimbursement of reasonable costs incurred for equipment, professional services, and tower construction.
- Category (3): FM stations forced to temporarily reduce power or cease transmission on their primary facility to accommodate antenna or tower modifications due to the channel reassignment of a full power or Class A television station as a result of the incentive auction. Category (3) stations may submit for reimbursement for costs incurred for equipment, professional services, and tower construction of interim facilities subject to the following conditions:
  - the station's primary or existing auxiliary facilities would lose more than 20 percent of the station's normal covered population or more than 20 percent of its normal coverage area; and
  - service would be lost for more than 24 hours and service loss would not be limited to the hours 12 AM to 5 AM local time.

### *Are interim facilities reimbursable?*

FM stations forced to temporarily reduce power or cease transmission on their primary facility to accommodate antenna or tower modifications, due to the channel reassignment of a full power or Class A television station as a result of the incentive auction, may submit requests for reimbursement for costs incurred for equipment, professional services, and tower construction of interim facilities subject to the following conditions:

- the station's primary or existing auxiliary facilities would lose more than 20 percent of the Station's normal covered population or more than 20 percent of its normal coverage area; and
- service would be lost for more than 24 hours and service loss would not be limited to the hours 12 AM to 5 AM local time.

The FM station must provide the following information and attachments:

- Contour maps showing the 60 and 70 dB $\mu$  contours from the station's main transmission site, for both normal full-power transmission and reduced-power transmission, due to television repacking work. These should include the total area covered by all contours, and the total population covered for all contours, based on Census Bureau population centroids;
- Contour maps showing the 60 and 70 dB $\mu$  contours from the station's interim auxiliary transmission site, for both normal full-power transmission and reduced-power transmission, due to television repacking work. These should include the total area covered by all contours, and the total population covered for all contours, based on Census Bureau population centroids;
- All date(s) and time(s) that broadcast transmissions at the main transmission site are or were required to cease or operate at reduced power as a result of television repacking work at the station's primary facility. Note that the dates and times may not necessarily be continuous; if the station, for example, is required to reduce power for one week, resumes operation for one week, and must reduce power again for one week, list only the dates and times when reduced power was required; and
- All date(s) and time(s) that broadcast transmissions are or will be made from the interim auxiliary facilities constructed or to be constructed using funds from the TV Broadcaster Relocation Fund. Note that, if repacking work is interrupted or intermittent, these dates and times also may not be continuous.

### *Does the FCC reimburse for equipment upgrades?*

FM stations should repurpose their equipment to the extent possible. The Commission will not reimburse stations for new features not already present in equipment being replaced; however, the Commission recognizes that some technological advances may mean some features are now standard in equipment, and therefore some upgrades may be inevitable.

### *Are lost revenues reimbursable under the REA?*

No. The REA explicitly prohibits reimbursement of lost revenues.

## **Navigating LMS and Form 399, Troubleshooting, and Invoice Issues**

### ***Can I add all of my invoices as one attachment and refer to the same attachment for every cost component?***

No. While an invoice may contain several discrete line items, or cost components, for various reimbursable expenses billed by a vendor, each invoice attached to a particular cost component must pertain to that cost component.

### ***Can I use the same invoice across multiple cost categories?***

Yes. You can use the same invoice for line items across multiple cost categories. To do this, add the invoice to the cost component and note what percentage or dollar amount of the invoice applies to that discrete cost component on the “Add Component” page pertaining to the expense. For each additional cost component listed on the same invoice, select the invoice that you previously uploaded from the dropdown list in the “Add Component” screen and indicate what percentage or dollar amount of the invoice is represented by that cost component.

### ***What should I put in the “Vendor EIN” field if my invoice or receipt does not have an EIN or TIN number associated with it and I can’t easily obtain one for the vendor?***

If possible, obtain a vendor’s EIN or TIN number to expedite the invoice review process. If the invoice or receipt does not identify the vendor’s EIN or TIN number and you cannot obtain the EIN or TIN number from the vendor (i.e. the materials were purchased at a retail store), you may use your station’s EIN/TIN number.

### ***Under what circumstances should I provide the dollar amount of the invoice for which I am requesting reimbursement rather than the percentage, and vice versa, on the “Add Component” page within the Cost Section?***

This feature exists to facilitate your identification of the reimbursement amount you are requesting and the manner of presenting the amount is up to you. This feature may be useful when submitting invoices containing multiple line items or when specifying the reimbursable cost on an invoice for upgraded equipment.

### ***What do I do once construction on my project is complete?***

You should click the Construction Complete button in Form 399. The construction complete button alerts the Fund Administrator that you have completed construction. Clicking this button will not lock your account. You will still be able to upload invoices and receive reimbursement. Once you have submitted all invoices and are ready to close out your account, click the Project Complete button. When you have clicked both the Construction Complete and Project Complete buttons, you will trigger the close-out procedures. Close-out procedures start with a reconciliation of your account (but will not prevent additional allocations if your station is entitled to more money).

### ***What does the Close-Out stage entail?***

Close-out is triggered when the station clicks both the Construction Complete and the Project Complete buttons, indicating to the Fund Administrator that the project is complete and all invoices have been submitted. The following steps will then occur:

- After the station indicates the project is complete, the Reimbursement Form will be locked and the station will not be able to submit additional supporting documentation via LMS;
- The Fund Administrator processes any pending invoices and produces a Financial Reconciliation Statement and then sends it to the station for review and concurrence;
- FCC will review the statement;
- The Fund Administrator may request a sampling of proof of payments;
- Any remaining eligible reimbursement amounts above the existing allocation amount will be held until further allocation of funds, if any; and
- When the Fund is exhausted, or the reimbursement program is completed for all stations, a Final Close-out Letter will be sent to the station.

***Are funds received through the Reimbursement Fund subject to audit?***

Participants in the reimbursement program are subject to a variety of audits that could be conducted by various oversight bodies, including but not limited to the FCC Office of Inspector General (OIG), Government Accountability Office (GAO), or U.S. Treasury. A station has an ongoing obligation to retain documentation supporting its requests for reimbursement for a period that extends 10 years after the date it receives its final payment from the Reimbursement Fund.

***Should I submit an eligibility certification if I do not have a good-faith basis to believe my station is eligible to receive Reimbursement Funds?***

No. The Eligibility Certification requires an authorized agent of the licensee to attest that statements in the form and attached documentation are true, complete, and correct. Willfully false, fraudulent, or fictitious statements are punishable by fine and/or imprisonment, and/or revocation of a station license or construction permit. False and/or fraudulent statements could subject an entity to liability under the false claims act.

***Is there a federal domestic assistance code associated with payment from the Reimbursement Fund?***

No. For the purposes of accounting for disbursements made for repack, the funding provided to stations is treated as an exchange transaction as opposed to a non-exchange transaction, such as a grant or a subsidy/Federal assistance. Accordingly, disbursements from the Reimbursement Fund are not associated with a federal domestic assistance code. We suggest the station consult with its auditors about the station's audit obligations.

***Where Can I Find More Information About the Reimbursement Process?***

Procedures governing the FM reimbursement process are located at section 73.3701 of the Commission's rules. 47 CFR § 73.3701. You can find additional information at [www.fcc.gov/incentiveauctions/reimbursement](http://www.fcc.gov/incentiveauctions/reimbursement), to include public notices that address in detail the uses of Form 1876 and FCC Form 2100, Schedule 399, as well as the LPTV/translator/FM cost catalog. You can submit questions to [reimburse@fcc.gov](mailto:reimburse@fcc.gov) or call 202-418-2009.