

FCC Frees Up Vacant TV Airwaves for “Super WiFi”

The Federal Communications Commission took steps on September 23rd to free up vacant airwaves between TV channels--called “white spaces” -- to unleash a host of new technologies, such as super Wi-Fi,” and myriad other diverse applications. This is the first significant block of spectrum made available for unlicensed use in more than 20 years.

TV white space spectrum is considered prime real estate because its signals travel well, making it ideally suited for mobile wireless devices. Unlocking this valuable spectrum will open the doors for new industries to arise, create American jobs, and fuel



“The Commission is also taking steps to ensure that incumbent services are protected from interference from the use of white spaces in various ways.”

new investment and innovation. The National Broadband Plan noted the importance of unlicensed spectrum in creating opportunities for new technologies to blossom and recommended that the Commission complete the TV white spaces proceeding as expeditiously as possible.

The Second Memorandum Opinion and Order adopted resolves numerous legal and technical issues. Notably, the Order eliminates the requirement that TV bands devices that incorporate geo-location and database

access must also include sensing technology to detect the signals of TV stations and low-power auxiliary service stations (wireless microphones). It also requires wireless microphone users who seek to register in the TV bands databases to certify that they will use all available channels from 7 through 51 prior to requesting registration. Requests to register in the database will be public, thus allowing interested parties to weigh in on any given request.

The Commission is also taking steps to ensure that incumbent services are protected from interference from the

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WRVA Honored for Fisher House Fundraiser

WRVA/Richmond was recently honored with the Fisher House Foundation’s Patriot Award in recognition of the station’s May fundraising effort.

The Clear Channel news/talker raised nearly \$120,000 for Fisher House. Fisher Houses across the country provide family members of sick or injured service men and women with comfortable housing during the time of hospitalization.

This “home away from home” Fisher Houses provide enable family members to be close to their loved ones during these stressful times. ❖

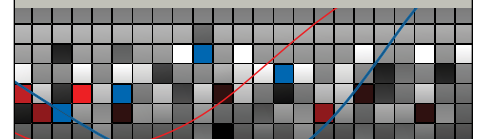


Among those on hand for the presentation were (left to right) WRVA PD/Morning Host Jimmy Barrett, Fisher House VP/Operations Derek Donovan, Clear Channel/Richmond Market Manager Ruth Stoutermire and WRVA afternoon host Doc Thompson.

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White Space *continued from page 1*

use of white spaces in various ways. In particular, the Order reserves two vacant UHF channels for wireless microphones and other low power auxiliary service devices in all areas of the country. It also maintains a reasonable separation distance between TV White Space device and wireless microphone usage permitted to be registered in the database.

NAB Executive Vice President of Communications, Dennis Wharton released a response to the ruling. "NAB's overriding goal in this proceeding has been to ensure America's continued interference-free access to high quality news, entertainment and sports provided by free and local television stations. We look forward to reviewing the details of today's ruling." ❖

Nielsen Releases New Season Rankings

Nielsen Media Research has announced a new list of Designated Market Area (DMA®) TV rankings for the 2010-2011 television season.

The research company says the total number of TV households in the U.S. will climb to 115.9 million (115,905,450), an increase of one million homes (+0.9%) from last year.



- Washington DC is still at #9 with 2,389,710 TV homes, an increase of 2.34%
- Hampton Roads is unchanged at #43; 716,050 TV homes (0.87%)
- Richmond up one notch at #57; 558,500 TV homes (0.82%)
- Roanoke-Lynchburg jumps one slot to #66; 464,480 TV homes (0.71%)
- Tri-Cities TN-VA (Bristol) leaps two to #91; 337,610 TV homes (0.89%)
- Greenville-New Bern-Washington NC jumps two spots to #101; 294,550 (1.47%)
- Salisbury MD inches up one to #143; 159,630 TV homes (0.81%)
- Harrisonburg up one to #177; 94,670 TV homes (1.36%)
- Charlottesville remains at #183; 76,700 TV homes (1.03%) ❖

Source: Nielsen Media Research

Radio Broadcasting Teacher Passes Away

Dave Desler, who taught radio broadcasting at the Chesapeake Center for Science and Technology for 25 years and retired as chief engineer at student-run WFOS/88.7, passed away on September 18th. He was 68.

Desler spent over 40 years in the radio/TV business; having worked with various radio and television stations including WGH, WNIS, WPEX, WCMS, WVEC and WTAR before moving on to CCST. ❖

GOP Will Take House, U.Va. Political Guru Sabato Predicts

The Democrats are likely to lose 47 seats and control of the House of Representatives in November's elections, a top political analyst said in a forecast yesterday.

Larry Sabato, a political scientist at the University of Virginia, also said the Democrats are likely to lose eight or nine seats in the Senate, eight governors' offices, and 300 to 500 seats in state legislatures.

"Republicans are dramatically gaining in all categories," said Sabato, one of the most consistently accurate election prognosticators.

"The economy appears rotten, with little chance of a substantial comeback by November 2nd. Unemployment is very high, income growth sluggish and public confidence quite low. The Democrats'



"Sabato's forecast 'illustrates a very basic principle of politics: If you want to be re-elected, you have to do what the voters tell you to do.'"

the balance of power from a Democratic edge of 26-24 to a Republican advantage of 32-18.

That has national implications, as states redraw the boundaries of U.S.

self-proclaimed 'Recovery Summer' has become a term of derision, and to most voters -- fair or not -- it seems that President Obama has overpromised and underdelivered."

Republicans must gain 39 seats to take control of the House.

Sabato's forecast also envisions Democratic losses in the Senate: eight or nine seats. Republicans must gain 10 Senate seats to take control there.

Sabato also increased his forecast for Democratic losses in the governors' offices to eight, up from six or seven. That would shift

House districts next year, a process that can benefit the party that controls the maps.

Sabato's forecast "illustrates a very basic principle of politics: If you want to be re-elected, you have to do what the voters tell you to do," said Garren Shipley, communications director with the Republican Party of Virginia.

Rep. Tom Perriello and the rest of the Democrats in Congress voted against the wishes of the American people on Obamacare, cap and trade and a host of other issues. . . . On November 2, I think a whole lot of them are going to be fired."

Dave Mills, executive director of the Democratic Party of Virginia, said there is no doubt the environment is not good for Democrats, but he said the contests are being fought on a race-by-race basis not reflected in national polls.

He agreed with Sabato's assessment that congressional races in the 2nd and 5th districts are toss-ups. Reps. Glenn Nye, D-2nd, and Perriello, D-5th, are working hard and have good organizations, he said. ❖

Article reprinted from the Richmond Times-Dispatch

Net Neutrality Not on FCC's October Agenda



Despite growing pressure to take action on protecting the Internet's openness, the FCC will not address the issue during their October meeting, a tentative agenda released by the commission on Thursday revealed.

Instead of tackling the hotly debated matter of broadband regulation, the FCC will take up "Bill Shock," proposed rules requiring mobile carriers to better inform consumers so they aren't surprised by unexpected charges.

The lack of action on net neutrality is sure to frustrate public interest groups such as Free Press and Public Knowledge as well the progressive organizations MoveOn.org and DailyKos. These groups have been lobbying the FCC to follow through on the commission's proposal to reclassify broadband under a more stringent regulatory regime.

Backers of net neutrality want lawmakers and the FCC to prohibit broadband providers from discriminating against Internet content or applications.

"Despite having the votes on the FCC to pass strong net neutrality rules, [FCC Chairman Julius Genachowski] has avoided taking the necessary action to do so," Joan McArter of DailyKos wrote in an email. "There's no good excuse for his dithering." In partnership with CREDO, DailyKos is circulating a petition urging Genachowski to act.

The creation of a Mobility Fund to support current and next-generation mobile services and rules related to video navigation devices will also be addressed in the commission's October meeting. ❖


Employee's Family Medical History Impermissible

By John G. Kruchko
and Kathleen A. Talty

A standard practice in most employment workplaces is to require a new employee, following the offer of employment, to undergo an employment physical or medical examination that includes questions about the employee's medical history, as well as the employee's family medical history. Such examinations often include questions that inquire about the medical condition of an employee's parents and, if the parents are deceased, asking the employee to provide the medical reason for the parents' deaths. Since November, 2009, such "routine" questions about an employee's family medical history are no longer permissible and represent employment discrimination for employers with 15 or more employees. Questions soliciting information about the employee's genetic tests or results are likewise impermissible. Such inquiries are not lawful because they tend to solicit genetic information about the employee and/or the employee's family. These inquiries, as well as others, are now illegal under a recent federal law.

Significant advancements in the field of genetics and genomic medicine allow employers access to information that indicate that individuals may be at risk or with a predisposition for certain genetic disorders, such as Parkinson's disease. Due to concern that some employers would deny employment opportunities to individuals because of an individual's genetic history or that employees would be denied insurance coverage because of an employee's medical history or the employee's family medical history, Congress enacted the Genetic Information Nondiscrimination Act of 2008, which President George W. Bush signed into law in May, 2008.

The Genetic Information Nondiscrimination Act of 2008 or "GINA" amended Title II of the Public Health Service Act became effective for all employers with 15 or more employees in November, 2009. Interpretative regulations of GINA's requirements from the Equal Employment Opportunity Commission ("EEOC") are still pending. While the enactment date of



“Under GINA, employers may not request, require or purchase genetic information about an applicant or employee or use such data in making employment decisions...”

GINA passed with little fanfare, employers who are required to comply with the requirements of GINA need to be aware of the Act's prohibitions to avoid employment discrimination charges or lawsuits alleging genetic information discrimination.

Under GINA, employers may not request, require or purchase genetic information about an applicant or employee or use such data in making employment decisions in any circumstances. This prohibition includes the timeframe starting with the initial decision to extend employment to the offer of health insurance to promotion and termination decisions. In cases in which an employer is found to be in violation of GINA, the same remedies available under Title VII of the Civil Rights Act of 1964, as amended, are applicable. These remedies include reinstatement, back pay, compensatory and punitive damages, attorneys' fees and costs.

GINA contains a number of definitions which are specific to the Act and which are extensive in scope. For example, genetic information is defined as information about an individual's genetic tests; "the genetic test is of that individual's family members and the manifestation of disease or disorder in family members of

the individual (family medical history)." The term "genetic information" does not include tests for drugs or alcohol or information that an individual currently has a disease or disorder. A "family member" includes those groups traditionally associated with the term, such as an individual's dependents and parents, but also extends to the fourth degree of consanguinity, i.e., great-great grandparents and first cousins once removed.

While the Act's prohibition on the solicitation of genetic information is broad, there are some limited exceptions recognized in the statute. One exception, referred to as the "water cooler" exception, refers to the inadvertent acquisition of genetic information. This might take place if a supervisor overhears a conversation between two employees and the conversation includes comments about genetic testing or test results of an employee. Another exception to the general rule is when genetic information is voluntarily or spontaneously shared by an employee in response to a general inquiry from a supervisor about an employee's health or a family member's health, such as "How are you feeling?" Additionally, genetic information that is provided to an

employer by an employee to substantiate a request for a reasonable accommodation under the Americans with Disabilities Act ("ADA") or to support a request for leave under the Family Medical Leave Act is not a violation of the Act.

Another exception to the prohibition on the solicitation of genetic information that is permitted under GINA applies to employer wellness programs. However, a number of conditions must be satisfied in order to ensure compliance. According to GINA, the exception for an employer wellness program only applies where:

1. The employee provides prior knowing, voluntary, and written authorization that
 - a. Is written so that the employee from whom the genetic information is obtained is reasonably likely to understand the form;
 - b. Describes the type of genetic information that will be obtained and the general purposes for which it will be used; and
 - c. Describes the restrictions on disclosure of genetic information.

To ensure conformity with GINA, employers who make available voluntary wellness programs to employees should be sure to comply with the Act's requirements. Further guidance in this area is expected when the EEOC issues its final regulations on GINA.

As is true with any medically-related information that an employer obtains on employees, employers in possession of genetic information about applicants or employees must treat the information in strict confidence. If the information is in writing, the data must be kept apart from other personnel information and in separate medical files.

The Equal Employment Opportunity Commission has also revised its "Equal Opportunity under the Law" poster that contains specific information on GINA. This revised EEOC poster should be posted by all employers. Alternatively, the EEOC has made available an "EEO is the Law" Poster Supplement that employers may post adjacent to their current "Equal Opportunity is the Law" poster. The supplemental poster contains information on GINA and the ADA. The revised or supplemental poster may be obtained from the EEOC's website. ❖

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John G. Kruchko is a partner with the Management Labor & Employment Law Firm of Kruchko & Fries in McLean, Virginia; Kathleen Talty is a Senior Counsel with the Firm. For more information, please contact Mr. Kruchko at 703/734-0554 or Ms. Talty at 410/321-7310 or jkruchko@kruchkoandfries.com, or ktalty@kruchkoandfries.com. This article is published for general information purposes, and does not constitute legal advice.

GOT NEWS?

For coverage in future issues, please send announcements/press releases and accompanying photographs to marci.malinowski@easterassociates.com or mail to:

VAB Newsletter
600 Peter Jefferson Parkway, Suite 300
Charlottesville, VA 22911

Submissions may be edited for length. Inclusion is not guaranteed and may be excluded due to space.

Genachowski Touts Changes to E-Rate Program



FCC Chairman Julius Genachowski has announced several initiatives aimed at bringing more advanced broadband technologies to schools and libraries.

Genachowski announced the initiatives at a conference on digital learning in Silicon Valley. The FCC will be voting on an order in September at its monthly meeting that includes changes to the E-rate program, which provides subsidies to schools and libraries to connect to the Internet.

The changes include allowing E-rate participants to use funds from the program to connect to the Internet in the "most cost-effective way possible," which could include using unused fiber lines already in place and existing state, regional and local broadband networks.

The FCC notes that while 97 percent of U.S. schools and "nearly all" public libraries have basic Internet access, 78 percent of E-rate fund recipients say they need faster connections.

The FCC also has proposed allowing schools the option of providing the public with Internet access at schools after students go home and will launch a pilot program to support off-campus wireless Internet connectivity for mobile learning devices. ❖

SEPTEMBER JOB BANK

SUBMIT JOBS

Submit to VAB Newsletter:

- Please e-mail the listing directly to marci.malinowski@easterassociates.com.
- Be sure to include your station ID or company name, information on how the applicant can apply and where to send the applications materials.

Submit to the Online Job Bank:

- Go to www.vabonline.com

Marketing/Promotions/On-Air Winchester, VA

92.5 WINC FM is expanding its promotions and marketing outreach in Northern Virginia, specifically Loudoun County, Virginia. The successful applicant will be responsible for coordinating all marketing, advertising, and promotional activities in this new initiative. He/she will coordinate and assist with the planning, organization and execution of all station promotions and events with advertising clients and non-profit organizations; assist with the implementation of on-air promotions; and conceive new promotional and marketing ideas to generate ratings and revenue. The ideal candidate will also have an on-air presence, including regular weekend air shifts and remotes. Previous marketing experience and excellent presentation, communication, organizational, and interpersonal skills. Previous radio experience (including on-air) is highly desirable. Position is full-time, with a Wednesday through Sunday work week. Centennial Broadcasting offers an exciting work environment, a competitive salary and outstanding benefits package, and is an equal opportunity employer. Please send cover letter, resume and aircheck (5 mb limit) to: jadams@winc.fm. Or mail your package to: Jeff Adams Operations Manager Centennial Broadcasting II, LLC P.O. Box 3300 Winchester, VA 22604

Production Assistant (PT) Harrisonburg, VA

Start your career in television as part of our evening news production team. The hours for this position are 3 p.m.-12a.m. and must be willing to work three to five days, Monday through Sunday. Responsibilities include video editing and camera operation. Experience preferred, but training is available. Pay starts at \$8.00 an hour. Send resume to WHSV-TV, Attn: John Davis, Evening Production Assistant Part-Time, 50 North Main St., Harrisonburg, VA 22802. WHSV-TV is a drug free workplace. EOE.

Chief Engineer FT Arlington, VA

Salem Media of Virginia, Inc., (WAVA 780 AM & 105.1 FM, WRC 1260 AM) and Salem Satellite Media, LLC (FamilyTalk, XM 170) are currently seeking an individual for the role of Chief Engineer. The person will be responsible for the technical upkeep and compliance of the station's studio and transmitter sites. The successful candidate will have at least five years experience and be SBE certified in the operation and maintenance of high-power and directional AM stations and

FM broadcast stations. Strong written and verbal communications skills are required. Send resume to WAVA/WRC/XM170 Radio, Attn: David Ruleman, 1901 N. Moore Street, Suite 200, Arlington, VA 22209, fax to (703) 807-2216 or send an e-mail to davidr@wava.com. Salem Media of Virginia, Inc. and Salem Satellite Media, LLC are EOE.

Production/Creative Services Assistant Richmond, VA

Cox Media Group-Richmond, VA has a RARE opening for a Creative Services Assistant that can help write, voice, lead client meetings & produce effective commercials. Is that you? Full time Radio & Adobe Audition experience is preferred. Send your info and resume to RICJobs@coxmg.com or snail mail to Joe Doran c/o Cox Media Group - Richmond 812 Moorefield Park Drive, Suite 300, Richmond, VA 23236. CMG is EOE.

Video Editor PT Lynchburg, VA

The Video-Journalist is primarily responsible for gathering news by recording satellite and other remote transmissions, editing videotape of news, sports, and special features. The individual should be familiar with effective camera shooting techniques so they can shoot news stories, when needed. This person must display high journalistic standards and understand that the video credibility of the news operation is his/her responsibility with regard to stories that he or she may edit. The individual must be a good communicator, work well with others, and take direction from management regarding job performance and shooting/editing style and technique. Demonstration of skills by performance in audition or aircheck, supported by references and pre-employment interviews. Available 24/7. Able to control high stress periods and heavy workload. Valid Virginia Driver's license. Please apply in writing to Director of Human Resources, WSET-TV, P. O. Box 11588, Lynchburg, VA 24506-1588, or apply in person at WSET-TV, 2320 Langhorne Road, Lynchburg, VA 24501 from 8:30 a.m. to 5:30 p.m., Monday through Friday. No phone calls please! EOE.

CHR Mornings/On-Air Personality Fredericksburg, VA

WVBX, The Vibe is looking for our next morning host to continue the station's meteoric rise in the Fredericksburg Market. We're a Rhythmic CHR, with heavy emphasis on lifestyle, pop culture, and fun in the morning. We'll give you show prep, studio tools, a market savvy co-host, and daily direction

and vision. Candidates should have at least 3 years on air experience, similar format preferred. Expect a daily air shift, occasional weekend work, production, and heavy station events and appearances. Good pay and benefits for the market size, and a locally owned company with strong roots. Send resume and current air check via MP3 to: Human Resources WFLS-WVBX-WWUZ Radio 616 Amelia Street Fredericksburg, VA 22401 Email: jobs@freelancestar.com Deadline to apply is September 27, 2010 EOE.

Engineering Maintenance Technician Harrisonburg, VA

WHSV-TV3 has an opening in its engineering department for a full-time maintenance engineer. Strong IT knowledge and skills required. General engineering knowledge and skills preferred, including education/experience in the following areas: Electronics theory, Mechanical theory, Electrical theory, troubleshooting and repair. Ability to read/interpret schematics/plans helpful. Experience with audio/video systems, especially broadcast systems, a plus. Must be able to work occasional odd hours, including overnight hours, weekends and on-call. Must be able to lift 100 lbs, and work in various positions (standing, sitting, bending, squatting and on a ladder) for extended periods of time. Must be able to multi-task, and continuously re-prioritize work, based upon changing and emerging needs and conditions in a fast-paced environment. Must have a positive, customer-service oriented attitude, and the ability to work with staff possessing a wide range of technical knowledge and abilities. This is a full-time, hourly position with full benefits and 401K. Reply with cover letter and resume with salary requirements to: WHSV-TV3 Attn: Chief Engineer 50 North Main Street Harrisonburg, VA 22802 WHSV is a drug-free workplace. EOE.

NewsCast/Producer Richmond, VA

Full-time NewsCast/Web Producer Do you have a passion for news producing? WTVR-TV has an immediate opening for a full time NewsCast/Web Producer. Successful candidate must be a strong writer, have solid news judgment, produce energetic and compelling newscasts and handle multiple live shots and breaking news. We are also looking for a producer who can be decisive and communicate well in the control room under intense pressure. Candidates should also be able to present creative ideas in support of our brand while having solid knowledge of local and national news. The producer will also be responsible for creating stories for our Web site and various other social media platforms on a daily basis. Please send your resume and most recent newscast to: WTVR-CBS6, Attention Sheryl Barnhouse, Assistant News Director, 3301 W. Broad Street, Richmond, VA 23230.EOE.

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Multi-Platform Sales Account Executive Portsmouth, VA

WAVY-TV10/WVBT Fox 43 TV/wavy.com: Be a part of the expanding and exciting world of multi-platform marketing and join the most successful sales team in the Norfolk, VA, market selling Television, Internet and Mobile advertising solutions. Applicants must have excellent communication, organizational, computer and follow-through skills. The ideal candidate should be competitive and goal oriented with a strong desire to succeed. Individuals must be comfortable meeting with prospects, making presentations and have a desire to help businesses grow. College degree preferred. Please send cover letter and resume to: Local Sales Manager, WAVY-TV/WVBT 300 WAVY Street, Portsmouth, VA 23704 or jobs@wavy.com No phone calls, please. EOE.

Production Assistant PT Lynchburg, VA

Primarily responsible for in-studio production assistance, including the operation of Camera, Audio, character generator, or etc. as assigned by shift supervisor. Also responsible for field technician assistance for Creative Services as needed. Knowledge of television production or willingness to learn. Knowledgeable in the operation of personal computers. Basic understanding of audio-visual components. Available to work irregular hours and holidays. Also available for long hours during special circumstances. Apply in writing to Director of Human Resources, WSET-TV, P. O. Box 11588, Lynchburg, VA 24506-1588. EEO/M/F.

Production Assistant PT Roanoke, VA

The Production Assistant is responsible for operating studio cameras, character generator, ESS, digital paint system and studio mixers. Must possess working knowledge of basic broadcasting. Excellent communication skills and computer experience required. Previous production experience desired. Pre-employment background and drug screen required. Send cover letter and resume to: Operations Manager WDBJ Television Attn: Production Assistant Position 2807 Hershberger Road Roanoke, VA 24017 or email: jobs@wdbj7.com WDBJ Television is an EOE.

Associate Producer PT Roanoke, VA

Responsibilities include writing for News7 newscasts and the website, assisting the producer in preparation of newscasts, working on the assignment desk, aiding the closed captioning system by scrolling teleprompter scripts during all newscasts. Must have computer experience with the ability to work well under pressure. Communications/Journalism degree preferred. Pre-employment background and drug screen required. Send cover letter and resume to: News Director WDBJ Television Attn: Associate Producer Position

2807 Hershberger Road Roanoke, VA 24017 or email: jobs@wdbj7.com WDBJ Television is an EOE.

News Producer Roanoke, VA

WDBJ7, the number one station in the Roanoke - Lynchburg market, is looking for a strong line producer. This is not a job for a show stacker. Candidates must have excellent journalism skills, understand how to use graphics effectively and can produce and post content to wdbj7.com. This person must have clear news judgment and a good handle on what makes an informative and watchable newscast from beginning to end. Must have a valid driver's license with a good driving record. Pre-employment background and drug screen required. Send cover letter, resume, and your most recent newscast to: News Director WDBJ Television Attn: Producer Position 2807 Hershberger Road Roanoke, VA 24017 or email: jobs@wdbj7.com WDBJ Television is an EOE.

Account Executive Richmond, VA

WTVR.com and CBS 6 TV are offering the opportunity for a qualified individual to help us bring creative advertising solutions utilizing the strength of the market's number one television website, the number one rated prime and daytime, NFL football, NCAA Tournament to local business in the Richmond area. If you can generate business beyond traditional advertisers and you are determined, intelligent, know how to ask the right questions to the right people, then we want you to join our staff. Previous sales experience is a plus, as is knowledge of basic computer programs such as PowerPoint, Excel and Word. If this sounds like you, send your resume and cover letter to Asaville@wtvr.com. Come work with the best television station in Richmond. EOE.

Account Executive Danville, VA

The NEW 1045, The Dan (<http://1045TheDan.com>) is expanding its sales staff and is looking for enthusiastic, hard-working, outgoing and persuasive candidates - people who can help show clients how to best use our media capabilities to improve their businesses. Successful applicants must have a track record of success in a sales or public-facing job, possess excellent verbal and written communications skills, and be comfortable using MS Office programs such as Outlook, Word, Excel and PowerPoint. Leadership experience - at work, in school, sports or on a committee or organization - is a plus. If you feel that you're the right person for this position, please email a resume and one-page letter explaining how you are uniquely qualified for consideration to Barbara Seamster, barbaseamster@lakesmediallc.com. Lakes Media is an Equal Opportunity Employer.

Announcer/Production South Boston, VA

Lakes Media/South Boston has immediate opening for voice talent on The NEW 1045, The Dan/Danville and 95-3/HLF/South Boston. Initially, 20 hours per week, but position could evolve into full time. Knowledge of AudioVault and Selector a plus. Email resume, aircheck and production example to Nick Long, Lakes Media/South Boston General Manager, NickLong@LakesMediallc.com. No calls please. EOE

General Sales Manager Harrisonburg, VA

Direct sales forecasting activities and set performance goals accordingly. Oversee efforts of sales team by reviewing sales proposals. Monitor sales progress. Conceptualize and execute marketing programs and client services. Develop, implement and communicate sales strategies and action plans. Analyze and report to upper management regarding station and market revenue activity. Hire, coach, train, counsel and motivate sales team. Three years related experience and/or training, or equivalent combination of education and experience. Understanding of broadcasting, pricing inventory, ratings, marketing, promotion and collection standards. Extensive knowledge of sales principles and practices. Excellent leadership, negotiating and communication skills. Ability to travel. Ability to work independently or in team setting. Ability to handle stress, deadlines and related financial pressures. Valid driver's license and state mandated automobile insurance. College degree preferred Resumes may be mailed or emailed to: Joyce Stifler Assistant Business Manager Clear Channel Radio 207 University Blvd. Harrisonburg, VA 22801 JoyceStifler@ClearChannel.com No phone calls, please. EOE.

Account Executive Culpeper/Orange/Louisa, VA

Piedmont Communications is seeking a Radio Account Executive for WJMA, WOJL (SAM-FM) and WCVA in Culpeper/Orange/Louisa, VA. We've got a great opportunity for someone who enjoys working with local businesses and helping them grow through local radio. The potential is unlimited for a person who hits the streets and provides the highest level of service. You must... - Be self motivated, self disciplined and dependable - Build and maintain client relationships - Have good written and oral communication skills - Be creative and computer literate - Have reliable transportation Previous sales experience is preferred. We offer: Base Salary, Commission on Sales, Health Insurance Plan, Paid Vacation and Paid Holidays. Send a cover letter and resume to jobs@wjmaf.com or to Sales Manager, Piedmont Communications, Inc., P.O. Box 271, Orange, VA 22960. EOE.

View the latest listings at www.vabonline.com/careers



Virginia Association of Broadcasters LEGAL REVIEW



Countdown to the 2011 Virginia Radio Renewal Deadline

By Stephen Hartzell

Believe it or not, the next round of broadcast station license renewals is right around the corner—Virginia radio stations will be required to file their next license renewal applications by June 1, 2011. As always, the stakes will be high, and renewal for a full eight-year term will carry your station through October 1, 2019.

Because the stakes are high, stations may wish to begin now to prepare for next year's renewal process. Of course, you should take great care in the preparation of your renewal application materials and discuss all issues pertaining to the specific facts of your station's situation with your communications counsel prior to filing your renewal application. While there are still more than 8 months before the renewal applications are due, stations may wish to begin thinking now about how they will handle the renewal process and begin the information gathering process. Here are just a few of the numerous renewal-related items to begin thinking about.

Electronic Filing of FCC Form 303-S. The FCC's license renewal form is likely to be similar to the Form 303-S used in the last renewal cycle, although it will, presumably, be updated to incorporate the new certification relating to non-discrimination provisions in station sales contracts. It will be mandatory to file the renewal application electronically through the FCC's website. During the last renewal cycle, the FCC fined some stations that failed to properly file their renewal applications electronically and that did not request a waiver to allow for it to be filed on paper. Thus, stations would be well-advised to familiarize themselves with the electronic filing process long before the renewal application is due June 1, 2011.

FCC Violations

The renewal application requires each station to certify whether there have been any violations by the station of the Communications Act or the FCC's rules during the preceding license term. Stations will need to think back 8 years to determine whether there have been any violations. Stations may wish to consult with their communications counsel if they have any questions or concerns.

Local Public File

The renewal form requires stations to certify whether they have filed all required documents in their public files at the appropriate times. Thus, at this juncture, 8 months prior to filing the renewal application, stations may wish to conduct an internal "audit" of their public files to ensure that they are complete and, if they are not complete, to develop a strategy, with the help of communications counsel, to find or re-create any missing documents. Chief among the information required to be placed in each station's public file at the "appropriate time" are quarterly Issues-Programs Lists.

If a station missed some lists, was late with them, or did not comply with the rules, or if the station missed some other filings required under the public inspection file rule, the station will have to certify in the negative and attach an exhibit explaining why. Stations that have had an imperfect public file during the license term should not certify in the affirmative and hope no one will ever notice. A false certification is an invitation to disaster and a station could lose its license or spend unnecessary money on legal fees. If you have an incomplete public file, you should discuss it with your communications counsel to develop

a strategy for handling it in next year's renewal application.

Discontinued Operation and Silent Station

The Communications Act provides for automatic cancellation of broadcast licenses for stations that have failed to operate for 12 consecutive months. If your station has been, or by June 1, 2011, will have been, off the air for 12 or more consecutive months, you should discuss your situation with communications counsel immediately.

Non-Discrimination Provision in Sales Contracts

Stations will be required to certify in the next license renewal application that their sales contracts contain a non-discrimination provision. As of September 20, 2010, the FCC has not released a new version of Form 303 S containing the applicable certification for this requirement, so the scope of the certification remains unclear. Nonetheless, a station that does not currently have a non-discrimination provision in its sales contracts should contact communications counsel immediately.

Seek Legal Counsel

The items discussed above are not intended to be a complete or thorough discussion of the FCC license renewal process. Instead, this discussion is meant to serve as a reminder that license renewal for Virginia radio stations will be here before we know it, and now is a better time than later to begin taking stock of your station's situation and preparing for the renewal road ahead. Retention of communications counsel to assist with this important filing next year would be well-advised. ♦

This Legal Review should in no way be construed as legal advice or a legal opinion on any specific set of facts or circumstances. Therefore, you should consult with legal counsel concerning any specific set of facts or circumstances.

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