

E/I Symbol

The Licensee has certified in the affirmative to the question asking whether, as required by 47 C.F.R. § 73.671(c)(5), it identifies each Core Program using the E/I symbol throughout the airing of each program. The Licensee submits this explanatory exhibit to address the following situation in programming supplied to WKCF by the ThisTV Network.

In the station's First Quarter 2013 Children's Television Programming Report (Form 398), as amended on May 14, 2013, the Licensee disclosed that the E/I symbol failed to appear in ThisTV programming, other than Green Screen Adventures, on a single day, Saturday January 19, 2013. The omission in question occurred just days prior to the beginning of the current license term on February 1, 2013.

The E/I symbol was omitted from eight episodes of Core Programming on one day.¹ This isolated incident was discovered by the Licensee and disclosed in an amendment to the First Quarter 2013 Form 398 shortly after discovery. The ThisTV Network was unable to confirm whether the E/I symbol was missing, but the Licensee's own investigation suggested the symbol was omitted. In the absence of information to the contrary, based on the Licensee's own diligence with respect to the matter, the Licensee wishes to disclose the matter here.

Given the failure to display the E/I symbol occurred on a single, isolated day in January 2013, the Licensee submits that this minor omission is not material to WKCF's overall compliance with 47 C.F.R. § 73.671(c)(5).²

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¹ Even discounting these eight episodes from WKCF's average number of hours per week of Core Programming on the multicast program streams for First Quarter 2013, the station had ample Core Programming for the quarter to meet the applicable Core Programming Processing Guidelines.

² Although not directly analogous to this case because the scope of the E/I symbol failure to display was much greater and combined with a separate delict that is not applicable here, the Licensee notes *Beach TV Properties, Inc.*, Letter Decision, DA 05-3318 (MB Dec. 28, 2005) (no fine issued for station's failure to provide information identifying Core Programs to publishers of program guides or identify each Core Program with the E/I symbol for 5 quarters).