

KCWE
LICENSE RENEWAL EXHIBIT

Online Public Inspection File

Hearst Stations Inc., licensee of KCWE, Kansas City, Missouri (“applicant” or “KCWE”), has responded in the negative to the FCC online public inspection file certification (“OPIF”) that states: “Licensee certifies that the documentation required by 47 C.F.R. Section 73.3526 or 73.3527, as applicable, has been uploaded to the station’s public inspection file as and when required.” As discussed below, one document was uploaded after its respective deadline. In addition, out of an abundance of caution, the applicant also wishes to note a few items that may be relevant to the foregoing certification (none of which the applicant believes to constitute a material deficiency in OPIF compliance).

Fourth Quarter 2015 Children’s Commercial Time Limits Certification: KCWE failed to upload by the Monday, January 11, 2016, deadline, records relating to its compliance during Fourth Quarter 2015 with the children’s commercial time limits rules. Notably, KCWE did timely upload its other quarterly Fourth Quarter 2015 records, i.e., Children’s Television Programming Report and Issues/Programs List. The failure to upload the commercial time limits records until 2½ days after the deadline was simply a function of inadvertence. The licensee’s track record during the license term of meeting the upload deadline for its commercial time limits records (and all other quarterly documentation) is otherwise exemplary; indeed, during most other quarters, KCWE’s quarterly commercial time limits records were uploaded multiple days in advance of the respective deadline. As such, the applicant respectfully submits that it is fair and reasonable to characterize this one deficiency as *de minimis*.

Finally, the applicant respectfully submits that neither the Commission nor the public were prejudiced by this minor deviation from the upload deadline, in light of the facts (i) that there were no commercial time limits overages during Fourth Quarter 2015, and (ii) the required records were uploaded a mere two-and-a-half days after the Monday, January 11, 2016, deadline (as reflected in the image below).



As such, the applicant respectfully urges the Commission to take no further action with respect to this matter.

Timely Uploaded Documents with Unique Circumstances: The applicant notes the following circumstances which may at first appear to, but do not in fact, impact the timeliness of several uploads:

- KCWE’s first annual Children’s Television Programming Report (covering the final 15 weeks of 2019) was timely filed/uploaded March 20, 2020, consistent with the blanket extension of time granted by the Media Bureau for such filings.

- KCWE’s First Quarter 2020 Issues/Programs Report was timely uploaded to the OPIF pursuant to a blanket extension granted by the Media Bureau related to the COVID-19 pandemic. *See Media Bureau Announces Extension of Time for Broadcasters to File Children’s Programming Reports & Quarterly Issues/Programs Lists*, Public Notice, 35 FCC Rcd 2948 (2020).
- A government shutdown in January 2019 affected the accessibility of the Commission’s OPIF system for upload purposes. As a result, KCWE’s Fourth Quarter 2018 Issues/Programs List was uploaded January 28, 2019, which was timely when the government shutdown (and corresponding modified upload deadline) is taken into account.
- KCWE’s First Quarter 2014 Children’s Commercial Time Limits Certification was timely uploaded by the applicable deadline. However—as explained in the cover sheet appended to the certification currently available in the station’s OPIF—the applicant subsequently identified an error warranting correction and, accordingly, uploaded an amended version.
- Three of KCWE’s Children’s Television Programming Reports (First, Second, and Third Quarters 2014) might appear, at first glance, to have been filed and uploaded late. In fact, the original Reports were timely filed, and each was subsequently amended on January 20, 2015, to correct the answer to a question that was inadvertently omitted. Each of the amended Reports contains a narrative explanation of the purpose of the amendment.

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