

### Children's Television Programming Reports

The Licensee has certified in the affirmative to the question asking whether, for the period of time covered by this application, it has complied with the Core Programming criteria and Core Programming Processing Guidelines, as required by the Commission's rules that were in effect at the time the Core Program was aired. This exhibit is intended to provide context to KCOY-TV's children's E/I programming performance during the license term.

The Licensee fell below the applicable threshold of children's E/I programming to satisfy the Core Programming Processing Guidelines by small amounts in two quarters when averaged over a 6-month period—a shortfall of .02 in one case and .11 in the other is observed in the detailed program data reported in the applicable Reports. Across the license term, this performance may be viewed as *de minimis* for compliance purposes.

- In Second Quarter 2016, the station aired 2.96 hours of children's E/I programming on its main program stream. Three hours aired on the main program stream in the prior quarter, resulting in a 6-month average of 2.98.
- In Third Quarter 2018, the station aired 2.77 hours of children's E/I programming on its main program stream. Three hours aired on the main program stream in the following quarter, resulting in a 6-month average of 2.89.

Viewed against the station's aggregate performance and commitment to airing children's E/I programming across the license term and across its two or, as of 2018, three program streams, the Licensee respectfully submits that the two quarters in which it fell slightly short of 3.0 hours are merely *de minimis* for compliance purposes. In particular, "licensees are eligible for staff level approval if they demonstrate that they have aired a package of different types of educational and informational programming that, while containing somewhat less core programming than indicated by the applicable guideline, demonstrates a level of commitment to educating and informing children at least equivalent to airing the amount of programming indicated by the guideline." *In re Children's Television Obligations of Digital Television Broadcasters*, 21 FCC Rcd 11065, 11102 n.141 (2006). Across the license term, and as can be seen from the relevant Children's Television Programming Reports, the Licensee has satisfied and sometimes exceeded the safe harbor processing average, particularly on the station's multicast channels where the station over-performed in about seven (7) quarters. When viewed in the context of these circumstances, the slight shortfalls averaged over six months may properly be determined to be *de minimis*. No adverse action has been taken in similar circumstances. *See, e.g., WGEM License, LLC, Renewal of License Application*, LMS File No. 0000154915 (granted Nov. 12, 2021).

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