

Core Programming Processing Guidelines

Scripps Broadcasting Holdings LLC (“Scripps”), licensee of television station KSBY(TV), San Luis Obispo, California (the “Station”), confirms that, other than as disclosed below, KSBY(TV) complied with the Core Programming criteria and Core Programming processing guidelines.

On May 1, 2019, ownership of the Station’s former licensee was transferred to an affiliate of Scripps pursuant to a long form transfer of control application and the license was immediately assigned to Scripps as part of a contemporaneous two-step transaction. *See* FCC File Nos. BTCCDT-20181109AAY and BALCDT-20181113ACB. Scripps notes that, because of the long-form ownership change, the current owner is not liable for the violations of the prior licensee. However, in the interest of full disclosure, Scripps reviewed the quarterly Children’s Television Programming Reports filed by the prior licensee and learned that in 2015, the previous licensee rescheduled a few preempted programs outside of Core hours. As a result, the number of Core Programming hours on the Station’s main channel stream for Q2 and Q4 of 2015 was slightly below the three-hour safe harbor standard. Scripps notes that a number of these rescheduled programs aired at 6:00 a.m. If the current Children’s Television Programming rules that are in effect today had been in effect in 2015, those programs would have counted as Core Programming.

Scripps also notes that in some cases, the prior licensee rescheduled certain preempted children’s programming in time slots that may not have complied with then-current Commission policies on what qualified as a program’s “second home.” When that occurred, the Station rescheduled the affected programs into consistent timeslots except in a very few instances.¹ In other instances, however, the programs were rescheduled in time slots that qualified as the programs’ second home, but the prior licensee erroneously indicated on Form 398 that the second home was not used. Scripps has amended the reports filed during Scripps’ ownership of the Station to correct these issues. Scripps also notes that during this time period, the Station consistently aired more than the three-hour minimum on its digital subchannels such that overall, under current rules, the Station aired more Core Programming than would have been required. In addition, the Station aired dozens of news segments and public service announcements aimed at educating children and their parents on important issues.

In addition, Scripps also discloses that on August 21, 2021 at 10:30 a.m., most of an episode of regularly scheduled weekly program *Wild Child* aired without the required “E/I” symbol on the screen due to a technical error by the programming provider. The Station was unable to obtain a copy of the episode with the E/I symbol in time to reschedule it during the 7-day window. Station personnel aired it within one week of receipt on September 4, 2021. Although the preempted program was re-aired outside of the FCC’s 7-day window, the Station

¹ When considering all of the Station’s efforts to reschedule the preempted programs, only one program in each of four quarters was unable to be rescheduled into either the program’s second home or another consistent timeslot. Specifically, for each of Q1 2017, Q2 2017, Q1 2018 and Q4 2018, the station averaged 2.96 weekly hours of core programming on its primary stream.

re-aired the episode within seven days of receiving the corrected episode of the program. In addition, due to limited flexibility in the Station's schedule, two programs were preempted by coverage of the summer Olympics, and the station rescheduled those episodes 8 days after the original air date. During that time period the Station aired significantly more Core programs on its multicast stream than required by the Commission's rules. Moreover, the Station aired a substantial number of news segments and PSAs that served the interests of children in its community.

KSBY(TV) also participates in and gives on-air support to numerous community initiatives that support children and families. For example, KSBY(TV) has partnered with Scripps Howard Foundation to provide underserved children with the opportunity to build home libraries with books the children have chosen themselves. Together, these efforts demonstrate that Scripps has met its obligation to deliver educational and informational programming on KSBY(TV) to the children of San Luis Obispo in accordance with Commission guidelines.