

FCC Violations

The Licensee received an admonishment letter decision on February 4, 2014. *See Orlando Hearst Television, Inc.*, Letter Decision, DA 14-125 (MB Feb. 4, 2014). The letter decision related to WKCF's 2012 license renewal application—specifically, an incident on December 23, 2006, involving the limits on commercial matter in children's programs (*see* BRCDT-20120928ARW). The letter decision was issued during the current license term but concerns a prior renewal application.

Otherwise there have been no FCC violations by WKCF to disclose during the license term.

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Online Public Inspection File

The Licensee has certified in the affirmative to the question asking whether the documentation required by 47 C.F.R. § 73.3526 has been uploaded to the station's public inspection file when required. The Licensee submits this explanatory exhibit to address the following circumstances, which may at first appear to, but do not in fact, impact the timeliness of uploads:

- The Third Quarter 2013 and Fourth Quarter 2018 Issues/Programs Reports, Certifications of Compliance with Children's Commercial Limits, and Children's Television Programming Reports were each timely uploaded to the online public inspection file (OPIF) and/or filed once the federal government reopened after shutdowns.
- The Annual DTV Ancillary/Supplementary Services Reports required by 47 C.F.R. § 73.624(g) for the years 2015, 2016, and 2017 were timely filed for WKCF. However, WKCF was not the "lead" station listed in the Reports (rather, commonly owned KCCI was the "lead" station for the 2015 and 2017 Reports, while commonly owned WESH was the "lead" station for the 2016 Report) and, as such, due to technical issues outside the Licensee's control, these Reports were not automatically imported into WKCF's OPIF when reviewed in connection with preparation of the instant license renewal application. The Licensee had manually uploaded the Report for 2015 in May 2016 (in the "Authorizations" folder). Additionally, the Licensee manually uploaded the 2016 and 2017 Reports to the OPIF upon discovery of the omission and re-uploaded the 2015 Report in the same location (in the "Applications" folder). As of the revision of 47 C.F.R. § 73.624(g)'s reporting requirements in 2018, the station was not required to file Annual DTV Ancillary/Supplementary Services Reports since 2017 because it has offered no feeable services during the relevant time period.

The Licensee respectfully submits that none of the above circumstances impact WKCF's overall compliance with the online public inspection file requirements.

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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).