

LICENSE RENEWAL EXHIBIT

Preceding License Term

The license for WKOW was last renewed on October 10, 2014, in FCC File No. BRC DT-20130801AMP. Accordingly, the Licensee's responses in the instant application cover the period commencing on October 10, 2014.¹

Online Public Inspection File

The Licensee has responded in the affirmative to the FCC online public inspection file certification 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."

A. Timely Political File Records

Out of an abundance of caution, the Licensee wishes to note that, although throughout the relevant period the Licensee timely both generated and uploaded to the online political file the overwhelming majority of the required political file records, the Licensee inadvertently failed to "immediately" upload records in some instances. These inadvertent delays arose during the rare and unusual circumstances caused by the COVID-19 national and international pandemic, when station personnel were working from home without access to their customary tools and resources and had to develop new systems and protocols for completing work-related tasks, including online public file uploads.²

Notwithstanding some upload delays, the Licensee respectfully submits that, under the exceptional circumstances caused by COVID-19, the Licensee uploaded political file materials "as soon as possible."³ The Licensee also respectfully submits that in certain cases the delays were related to "requests" or "contracts" that were merely initial records memorializing non-final orders which are not required to be uploaded.⁴ And, even if the delays were found to arise to the level of deficient compliance, viewed against the context of the station's overall political file recordkeeping compliance—which covers more than 400 document uploads during the relevant period—the Licensee respectfully submits that the delays are *de minimis* under these particular

¹ See *Fox Television Stations, Inc.*, FCC 18-97, 33 F.C.C. Rcd. 7221, ¶ 32 (2018).

² Indeed, the Media Bureau has recognized that the rare and exceptional circumstances presented by the COVID-19 pandemic have impacted station operations and require regulatory compliance flexibility. See *e.g.*, DA 20-353, DA 20-376, DA 20-396, DA 20-398, and DA 20-1059.

³ 47 U.S.C. § 315(e)(3); 47 CFR § 73.1943(c).

⁴ The Commission has made clear that only final, agreed-upon orders are required to be uploaded. See *Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations*, Second Report and Order, 27 FCC Rcd 4535 (2012), ¶ 41.

circumstances and do not materially affect the Licensee's aggregate compliance with the political file recordkeeping rule.

B. Timely Quarterly Filings

None of the following disclosures is material for purposes of public inspection file compliance. However, a cursory review of WKOW's OPIF may result in the erroneous conclusion that multiple documents were uploaded late, and we'd like to pro-actively address those issues.

First, as a result of a government shutdown that affected the accessibility of WKOW's OPIF (and all other OPIFs) for upload purposes, there are two documents that might, at first glance, appear to have been uploaded late. In each case, however, the documents were timely uploaded when the government shutdown is taken into account. More specifically, the Issues/Programs List, Children's Commercial Time Limits Certification, and the Children's Television Programming Report for Fourth Quarter 2018 were all timely uploaded once the government shutdown is taken into account.

Second, the First Quarter 2020 Issues/Programs List was timely uploaded in light of the COVID-19 crisis and flexible allowance granted by the Media Bureau for uploading First Quarter 2020 Issues/Programs Lists by July 10 instead of the usual April 10 deadline.

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