

LICENSE RENEWAL EXHIBIT

Preceding License Term

The license for WQOW was last renewed on October 22, 2014, in FCC File No. BRC DT-20130801AEO. Accordingly, the Licensee's responses in the instant application cover the period commencing on October 22, 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 reconciliation records (i.e., invoices) 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 While the station was substantially adept at adjusting its practices to ensure timely uploads of most political file materials (including schedules, NAB forms, and the like), the invoicing protocols at the station do not use precisely the same workflow as other political file documents and in some instances such reconciliation information was not uploaded as promptly as it would have been in a non-pandemic setting. Of course, as the Commission has previously confirmed, such reconciliation documentation is not subject to the same "as soon as possible" requirement as other political file records.³

Notwithstanding some upload delays with respect to reconciliation information, the Licensee respectfully submits that, under the exceptional circumstances and procedural disturbances caused by COVID-19, the Licensee substantially complied with its political file

¹ See *Fox Television Stations, Inc.*, 33 FCC 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 *Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations*, Second Report and Order, 27 FCC Rcd 4535, ¶ 57 (2012) (Stations may "place written documentation about the final disposition in the file at a later date consistent with business practices – usually when final billing is compiled for the purchaser on a monthly basis. This practice is permitted.").

obligations. And, even if the delays affecting reconciliation information 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 nearly *fourteen hundred* document uploads during the relevant period—the Licensee respectfully submits that the delays are *de minimis* under these particular 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 WQOW'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 WQOW'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 and Children's Commercial Time Limits Certification for Fourth Quarter 2018 were timely uploaded once the government shutdown is taken into account.

Second, the first annual Children's Television Programming Report (covering the final 15 weeks of 2019) was timely uploaded in light of the COVID-19 crisis and flexible allowance granted by the Media Bureau for filing and uploading such reports by July 10 instead of the usual January 30 deadline.

Children's E/I Programming

During the relevant period, WQOW fully complied with the applicable Commission's children's television programming requirements. This exhibit is to explain what might not be obvious with respect to WQOW's First Quarter 2017 children's programming performance. In the report covering First Quarter 2017, the following information was provided by the station:

| Question | Response |
|--|----------|
| State the average number of hours of Core Programming per week broadcast by the station on its main program stream | 2.77 |
| State the average number of hours per week of free over-the-air digital video programming broadcast by the station on other than its main program stream | 336.0 |
| State the average number of hours per week of Core Programming broadcast by the station on other than its main program stream. See 47 C.F.R. Section 73.671: | 5.54 |

At first glance, the station appears to have suffered a shortfall in its performance on both the main program stream and the multicast program streams. However, one need only go back to Fourth Quarter 2016 to see that the six-month average met the E/I programming requirements:

| Question | Response |
|--|----------|
| State the average number of hours of Core Programming per week broadcast by the station on its main program stream | 3.23 |
| State the average number of hours per week of free over-the-air digital video programming broadcast by the station on other than its main program stream | 336.0 |
| State the average number of hours per week of Core Programming broadcast by the station on other than its main program stream. See 47 C.F.R. Section 73.671: | 6.46 |

Taken together, the weekly averages for these two adjacent calendar quarters demonstrates compliance.

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