

FCC Form 303-S  
Public Inspection File

KABE-CD, Bakersfield, CA (the “Station”) timely prepared its 2020-21 EEO Annual Report but did not upload that report to its public inspection file until August 16, 2021. On three different occasions, the Station timely prepared the Children’s Commercial Limits Certifications but erroneously uploaded the incorrect document or certifications. The affected quarters were 1Q 2016, 3Q 2017, and 2Q 2018. Concerning the 3Q 2017 Children’s Commercial Limits Certifications the station inadvertently left off the Univision Network-specific information. The errors were discovered during the preparation for license renewal, and corrective certifications were uploaded immediately upon discovery.

The Station believes that it has generally met the requirement in Section 73.1943(c) of the FCC rules to post political orders to the online public inspection file "immediately, absent unusual circumstances." Throughout 2020 and 2021, unusual circumstances certainly existed in the form of the unprecedented COVID-19 pandemic. Kern County was “among the most impacted counties in the state in terms of the percentage of people infected with the virus.”<sup>1</sup> The Station is not aware of any political spot for which it did not post information to the public inspection file. In an abundance of caution, the Station reports the following:

- In April 2020, the Station received a candidate buy from TJ Cox for Congress more than six months before start of the flight. It posted information about that buy to the public file in September, before the start date in October.
- In August 2020, the Station received 3 non-candidate buys from House Majority PAC, which it posted to the public file 16 to 36 days after receipt. Information regarding two of these buys was posted to the public file well before start of the flights.
- Also in August 2020, the Station received 4 candidate buys from TJ Cox for Congress and posted information to the public file 47 – 51 days later.
- In September 2020, the Station received 2 non-candidate buys from House Majority PAC which were uploaded 8 days later.
- In September 2020, the Station received 7 candidate buys for TJ Cox for Congress, which were uploaded to the public file 27 days later.

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<sup>1</sup> COVID-19 timeline: A look back as Kern enters third year of coronavirus, March 19, 2022, Bakersfield.com, [https://www.bakersfield.com/news/covid-19-timeline-a-look-back-as-kern-enters-third-year-of-coronavirus/article\\_646ec680-a6f6-11ec-87ea-db81833ddd9e.html](https://www.bakersfield.com/news/covid-19-timeline-a-look-back-as-kern-enters-third-year-of-coronavirus/article_646ec680-a6f6-11ec-87ea-db81833ddd9e.html)

- Also in September 2020, the Station received 2 non-candidate buys, which were posted to the public file 13 days and 15 days later.
- In February 2021, the Station received the NAB form for a non-candidate buy from the Democratic Congressional Campaign. It posted that form on September 23, 2021.
- In April 2021, the Station received the NAB form for a non-candidate buy from California for Energy Independence. It posted that form on September 23, 2021.
- In August 2021, the Station received the NAB forms for non-candidate buys for Climate Power and Recall Newsom, which were posted to the public file 23 and 49 days after being received.
- In September 2021, the Station received the NAB forms for non-candidate buys for Climate Power, and Larry Elder to Recall Newsom, which were posted to the public file 16 and 18 days later.

These delays occurred during an unprecedented health crisis. California reported one of the first confirmed cases of COVID-19 in the U.S. on January 25, 2020. Less than two weeks later, California reported the first person to die of causes related to the coronavirus in the U.S. On March 4, 2020, Governor Gavin Newsom declared a state of emergency in California, following similar declarations by a number of local governments. The World Health Organization declared COVID-19 a pandemic on March 11th and President Donald Trump declared a nationwide emergency two days later. On March 17, 2020, the Kern County Superintendent of Schools and Kern County Public Health Services Department closed public schools. Governor Newsom issued a shelter-in-place order for California on March 19, 2020, with 7,899 reported cases and 31 deaths in the state.

On March 27, 2020, Kern County reported its first death from the coronavirus infections, out of 40 reported cases. By the end of March, 101 people in Kern County tested positive for the disease. In June, County officials expressed concern with a surge in reported cases. By June 17, some 57 people had died and 3,522 cases were confirmed in the County. On June 19, Governor Newsome announced a mask requirement for most public spaces. By the end of July, local hospitals were reaching maximum capacity and beginning to implement surge plans. The Station was forced to take certain measures to blunt the severe economic impact of the pandemic. In June, July, and August 2020, the official usually charged with the oversight of the public inspection file, was subject to furloughs.

On December 9, 2020, county health department officials reported that 47,411 cases and 463 deaths in Kern County. By January 28, 2021, Kern County surpassed 92,000 cases of COVID-19, which meant that 1 in 10 county residents has tested positive for the virus. “That puts Kern among the most impacted counties in the state in terms of the percentage of people infected with the virus, just behind San Bernardino, Los Angeles and Riverside counties.”

Later that year, Kern County hospitals saw a dramatic increase in COVID-19 cases in August, leading some health officials to worry a third surge may soon overwhelm local resources.<sup>2</sup>

TelevisaUnivision recognizes the importance of posting political information to the public file “immediately, absent unusual circumstances.” With the benefit of experience in dealing with the pandemic in Kern County and other markets, TelevisaUnivision has worked with its employees involved in the political sales process to emphasize the need for timely posting of relevant documentation even in adverse circumstances such as these.

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<sup>2</sup> COVID-19 timeline: A look back as Kern enters third year of coronavirus, March 19, 2022, Bakersfield.com, [https://www.bakersfield.com/news/covid-19-timeline-a-look-back-as-kern-enters-third-year-of-coronavirus/article\\_646ec680-a6f6-11ec-87ea-db81833ddd9e.html](https://www.bakersfield.com/news/covid-19-timeline-a-look-back-as-kern-enters-third-year-of-coronavirus/article_646ec680-a6f6-11ec-87ea-db81833ddd9e.html)