

LICENSE RENEWAL EXHIBIT

Denali Media Holdings, LLC (“Licensee”), licensee of KTVA(TV), Anchorage, AK (Facility ID No. 49632) (the “Station”), submits this exhibit to provide further information regarding several of its certifications in the accompanying license renewal application.

The Licensee wishes to provide context regarding the circumstances affecting the last several years of the Station’s license term. Specifically, due to the transfer of the Station’s affiliation agreement in 2020, the Licensee was without a source of programming from approximately September 3, 2020, to September 2, 2021. *See* LMS File Nos. 0000121181 & 0000158526. Throughout that period, which coincided with the COVID-19 pandemic, the Station worked diligently until, in September 2021, KTVA successfully secured a new source of programming and resumed its broadcast operations. The Licensee is still in the process of searching for and evaluating additional programming and other operational augmentations for the Station.

The Licensee respectfully requests that the Station’s operations over the last several years of the license term be viewed against the foregoing context.

Online Public Inspection File

The Licensee has certified in the negative 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 discloses the following circumstances relevant to that certification, none of which the Licensee believes to constitute a material deficiency in compliance across the license term.

- **EEO Audit Letter and “No Further Action” Letter:** In 2020, the Licensee was subject to the Commission’s first round of random EEO audits. The Licensee timely prepared and uploaded its response and all required documentation to the OPIF, and received a “No Further Action” letter from FCC staff indicating that the Station’s employment unit had passed the audit. However, during the course of preparing the accompanying renewal application the Licensee discovered that it had inadvertently neglected to upload the audit letter and “No Further Action” letter to the OPIF. The Licensee has now uploaded those documents to the relevant section of the Station’s OPIF. Given both that the Station’s employment unit successfully passed its EEO audit, and that at all relevant times the EEO audit letter and KTVA’s selection for the audit were publicly available online (*see* https://docs.fcc.gov/public/attachments/DA-20-131A1_Rcd.pdf), the Licensee respectfully submits that neither the Commission nor the public was prejudiced by the upload delay.
- **Certain Children’s Commercial Time Limits Certifications:** The Licensee timely prepared its First Quarter 2016 and Second Quarter 2019 children’s commercial time limits certifications (by April 9, 2016, and July 9, 2019, respectively). However, the licensee was delayed by several months (until July 7, 2016, and October 9, 2019, respectively) in

uploading each certification to the public file. The licensee was also delayed by a few days in uploading its first full annual children's commercial time limits certification for 2020, which was uploaded approximately four days after the upload deadline. Like all of the Licensee's certifications throughout the license term, none reported any commercial overages. The Licensee respectfully submits that the few foregoing upload delays, when viewed against the Licensee's general track record of timely uploads across the entirety of the license term, are de minimis and do not materially affect the Licensee's overall compliance with the OPIF rules.

- **Certain Issues/Programs Lists:** As noted above, the Station was without a source of programming from approximately September 3, 2020, to September 2, 2021. As a result of the programming and personnel changes, the Station initially inadvertently missed, but later uploaded, Issues/Programs Lists covering Third Quarter 2020, Fourth Quarter 2020, and First Quarter 2021. The Third Quarter 2020 List was uploaded several months late; the Fourth Quarter 2020 List was uploaded slightly less than one month late; and the First Quarter 2021 List was uploaded two weeks late. Additionally, once programming resumed, the upload of the relevant list for First Quarter 2022 was inadvertently delayed by several months. The Licensee respectfully submits that neither the Commission nor the public was prejudiced by the delayed upload of the first three lists noted above, given that the Station's silent status resulted in no (or nearly no) programming to report on those lists. The Licensee further respectfully submits that the upload delay for each list was de minimis when viewed both against the Station's operational and personnel changes during that time and within the context of the Station's overall compliance across the license term.
- **No Political Programming:** Out of an abundance of caution, the Licensee notes that as of the filing date of the accompanying license renewal application the Station has not received any qualifying requests for political broadcast time falling within the relevant record retention period. *See* 47 C.F.R. § 73.3526(e)(6). Accordingly, it is accurate and appropriate for the Station's online political file to be empty at this time.
- **2020 Change to Fewer than Five Full-time Employees:** Out of an abundance of caution, the Licensee further notes that, in connection with the September 2020 loss of programming and operational changes noted above, prior to October 1, 2020, the Station transitioned to fewer than five full-time employees. The Station has continued to employ fewer than five full-time employees since that time. It is therefore accurate and appropriate for the Station to have neither prepared nor uploaded an Annual EEO Public File Report in 2020, 2021, or 2022.

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The Licensee respectfully submits that—when viewed within the context of the changes to the Station's operation over the last several years and the Station's overall online public inspection file recordkeeping compliance over the license term—the foregoing issues are de minimis and do not materially affect the Licensee's aggregate compliance with the online public inspection file rules. Additionally, the Licensee has consulted with FCC regulatory counsel and has begun taking

steps to implement a compliance plan, which includes the provision of additional training to station personnel responsible for ensuring timely FCC filings going forward.

Other Certifications Affected by Station's Silence:

Adherence to Minimum Operating Schedule and Core Programming Processing Guidelines

The above-described period of silence experienced by the Station has caused the Licensee to select “no” in response to the renewal application certifications covering adherence to minimum operating schedule and core programming processing guidelines. The Licensee provides the following additional context for those certifications.

Adherence to Minimum Operating Schedule: As noted above, operational and other changes resulted in the Licensee being without a source of programming—and therefore accompanying Station silence—from September 3, 2020, to September 2, 2021. *See* LMS File Nos. 0000121181 & 0000158526. The Licensee carefully searched for and evaluated programming options during that time and ultimately took all steps necessary to successfully restore Station operations on a going-forward basis as of September 2, 2021. Despite this period of silence, the Station has now been back on-air for over a year and is actively searching for additional programming to continue to augment the Station’s operations and service to the public.

Core Programming Processing Guidelines: When the Licensee evaluated programming options in connection with restoring its on-air operations on September 2, 2021, the Licensee was careful to ensure that its new programming arrangement would enable the Station to provide sufficient Core Programming to meet the educational and informational needs of children. The Licensee’s “no” certification regarding the Commission’s Core Programming Processing Guidelines applies only to the Station’s above-described period of silence. Put differently, at all times when the Station was on-air throughout the license term the Station broadcast a sufficient amount of Core Programming to fall within the Commission’s Core Programming Processing Guidelines. Indeed, as demonstrated in the Licensee’s timely filed Children’s Television Programming Reports throughout the license term, the Licensee has historically undertaken efforts to provide for the educational and informational needs of children *above and beyond* the amount sufficient for safe harbor processing. Among other things, throughout the majority of the license term the Station has aired qualifying Core Programming in amounts in excess of the safe harbor processing guideline. And, as documented in the “Liaison Contact” section of the majority of the Licensee’s reports, the Station has provided numerous Station tours and other outreach to schools and the community with the goal of furthering the educational and informational development of children. The Licensee therefore respectfully submits that, notwithstanding the Station’s silent period, across the license term the Licensee has demonstrated sufficient aggregate compliance with the requirements of the Children’s Television Act and the Commission’s implementing regulations.