



Federal Communications Commission
Washington, D.C. 20554

July 17, 2015

WMTM, LLC
5670 Wilshire Blvd., Suite 1300
Los Angeles, CA 90036

RE: Petition for Eligible Entity Status, WMTM, LLC, Station WIAV-CD, Washington D.C. (Fac. ID No. 168063), FCC File No. BLDTL-20121231ANU

Dear Licensee:

This is with respect to the Petition for Eligible Entity Status ("Petition") filed on July 9, 2015, by WMTM, LLC ("Licensee"), licensee of Station WIAV-CD, Washington D.C. ("Station").¹ The Petition requests that the Station be deemed an "eligible facility" for purposes of the incentive auction. On June 19, 2015, the Commission released the *Incentive Auction Second R&O* and denied Petitions for Reconsideration filed by Abacus Television and Videohouse, Inc.,² which requested that the Commission exercise its discretion to extend protection in the repacking process to Class A stations similarly situated as WIAV-CD.³ The Commission has already determined that stations similar to WIAV-CD are not eligible for mandatory protection and the Commission has specifically declined to exercise its discretionary authority to extend protection.⁴ This is not the appropriate venue for seeking reconsideration of the Commission's decision.⁵

Accordingly, for the reasons above, including the Commission's rationale in *Incentive Auction Second R&O*, the Petition for Eligible Entity Status filed by WMTM, LLC **IS DENIED**.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau

Cc (via electronic mail)
Joan Stewart, Esq.

¹ WMTM, LLC Petition for Eligible Entity Status (Jul. 9, 2015).

² See Abacus Television Petition for Reconsideration, GN Docket No. 12-268 (Sept. 16, 2014); The Videohouse, Inc. Petition for Reconsideration, GN Docket No. 12-268 (Sept. 15, 2014).

³ *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, Second Report and Order on Reconsideration, FCC 15-69, para. 53 (rel. Jun. 19, 2015) ("*Incentive Auction Second R&O*"). The Commission dismissed a late-filed Petition for Reconsideration filed by Asiavision, Inc., the former licensee of WIAV-CD, and treated the filing as an "informal comment." *Incentive Auction Second R&O* at n.183. The informal comment presented arguments similar to those raised by Abacus and Videohouse. See Asiavision Opposition, GN Docket No. 12-268 (Nov. 10, 2014).

⁴ *Incentive Auction Second R&O* at paras. 53-62, *aff'g*, *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, Report and Order, 29 FCC Rcd 6567, 6670-71, paras 233-34 (2014).

⁵ See 47 C.F.R. § 1.429(b),(i); 47 U.S.C. § 402(a).