

### Multiple Ownership

The instant application seeks the Commission's consent to the assignment of the license of television station KTBU(DT), Conroe, Texas ("KTBU"), from KTBU Licensing, Inc.

("Licensee") to KHOU-TV, Inc. ("Assignee," and such assignment, the "Transaction").

Assignee is an indirect, wholly owned subsidiary of TEGNA Inc. ("TEGNA"). Assignee also holds the license for television station KHOU(DT), Houston, Texas ("KHOU"). Both KTBU and KHOU are located in the Houston designated market area, as defined by Nielsen. TEGNA holds no existing attributable interests in any other full power television or radio station or in any newspaper in the Houston DMA.

The Transaction complies with the Commission's local television multiple ownership rule, as reinstated by the U.S. Court of Appeals for the Third Circuit effective as of November 29, 2019.<sup>1</sup> The rule allows ownership of two television stations in the same DMA that have overlapping contours so long as (1) at least one of the stations is ranked below the top four stations in the market, based on the most recent all-day audience share measured by professional, accepted audience ratings services,<sup>2</sup> and (2) "[a]t least 8 independently owned and operating, full-power commercial and noncommercial TV stations would remain post-merger in the DMA in which the communities of license of the TV stations in question are located."<sup>3</sup> The

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<sup>1</sup> See 47 C.F.R. § 73.3555(b); *2014 Quadrennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 et al.*, Order, MB Docket No. 14-50 *et al.*, DA 19-1303, at ¶ 3 (MB Dec. 20, 2019) (amending ownership rules to reflect Third Circuit's reinstatement of rules in effect prior to adoption of *2014 Quadrennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 et al.*, MB Docket No. 14-50, Order on Reconsideration and Notice of Proposed Rulemaking, 32 FCC Rcd 9802 (2017)).

<sup>2</sup> 47 C.F.R. § 73.3555(b)(1)(i).

<sup>3</sup> 47 C.F.R. § 73.3555(b)(1)(ii).

Transaction meets this requirement because, in Nielsen's December 2019 survey, KTBU placed below the top four stations in all-day household share,<sup>4</sup> and after consummation of the proposed Transaction there would remain more than eight independently owned and operating full-power commercial and noncommercial television stations in the Houston DMA.<sup>5</sup> Furthermore, because TEGNA has no attributable interest in any radio station or newspaper in the Houston DMA, the Commission's local media ownership rules governing local radio ownership, radio-television cross-ownership, and newspaper-broadcast cross-ownership are not implicated by the Transaction.

Finally, because TEGNA already owns KHOU, a VHF station located in the Houston DMA, TEGNA's acquisition of KTBU (a UHF station) would have no effect on TEGNA's national television audience reach.<sup>6</sup>

Accordingly, grant of the instant license assignment application would comply with the Commission's media ownership rules.

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<sup>4</sup> Ratings data for the Houston DMA are provided in Attachment 1, which is being filed under a request for confidential treatment pursuant to Section 0.459 of the Commission's rules. 47 C.F.R. § 0.459.

<sup>5</sup> A list of full power television stations operating in the Houston DMA is provided in Attachment 2.

<sup>6</sup> See § 73.3555(e).

**Attachment 1**

**Audience Share Data**

**CONFIDENTIAL TREATMENT REQUESTED  
PURSUANT TO 47 C.F.R. § 0.459**

## Attachment 2

### Full-Power Television Stations Located in the Houston DMA (Post-Transaction)

<u>Call Sign</u>	<u>Affiliation</u>	<u>Ownership Group</u>
KTRK-TV	ABC	ABC/Disney
KTMD	TEL	Comcast/NBC
KETH-TV	TBN	Community Educational TV
KLTJ	Dst	Daystar Television Network
KRIV	FOX	Fox Television Stations Incorporated
KTXH	My	Fox Television Stations Incorporated
KPRC-TV	NBC	Graham Media Group
KYAZ-TV	AZT	HC2 Holdings Inc
KPXB-TV	ION	ION Media Networks Inc
KZJL	EST	Liberman Broadcasting Inc
KIAH	CW	Nexstar Media Group Inc
KHOU	CBS	TEGNA Inc.
KTBU	MGA	TEGNA Inc.
KUHT	PBS	University of Houston System
KXLN-DT	UNI	Univision
KFTH-DT	UnM	Univision
KUBE-TV	IND	WRNN-TV Associates LP

Source: BIA