

Multiple Ownership

The instant application seeks the Commission’s consent to the assignment of the license of television station KMPX(TV), Decatur, Texas (“KMPX”), from Estrella Television License of Dallas, Inc. (“Licensee”) to WFAA-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 WFAA(TV), Dallas, Texas (“WFAA”). Both KMPX and WFAA are located in the Dallas-Fort Worth designated market area, as defined by Nielsen (the “Dallas DMA”). TEGNA holds no existing attributable interests in any other full power television or radio station or in any newspaper in the Dallas 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, 2019.¹ 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,² 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.”³ The

¹ 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)).

² 47 C.F.R. § 73.3555(b)(1)(i).

³ 47 C.F.R. § 73.3555(b)(1)(ii).

Transaction meets this requirement because, in Nielsen's August 2020 survey, KMPX placed below the top four stations in all-day household share,⁴ 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 Dallas DMA.⁵ Furthermore, because TEGNA has no attributable interest in any radio station or newspaper in the Dallas 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 WFAA, a VHF station located in the Dallas DMA, TEGNA's acquisition of KMPX (a UHF station) would have no effect on TEGNA's national television audience reach.⁶

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

⁴ Ratings data for the Dallas 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.

⁵ A list of full power television stations operating in the Dallas DMA is provided in Attachment 2.

⁶ 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 Dallas-Fort Worth DMA (Pre-Transaction)

<u>Callsign</u>	<u>Ownership Group</u>	<u>Affiliation</u>
KTVT	CBS Corporation	CBS
KTXA	CBS Corporation	IND
KPXD-TV	CIG Media LLC	ION
KXAS-TV	Comcast/NBC	NBC
KXTX-TV	Comcast/NBC	TEL
KTXD-TV	Cunningham Broadcasting Corporation	Stm
KDTN	Daystar Television Network	Dst
KMPX	Estrella Media Inc	EST
KDFI	Fox Television Stations Incorporated	My
KDFW	Fox Television Stations Incorporated	FOX
KAZD	HC2 Holdings Inc	AZT
KDAF	Nexstar Media Group Inc	CW
KERA-TV	North Texas Public Broadcasting Inc	PBS
WFAA	TEGNA Inc	ABC
KDTX-TV	Trinity Broadcasting Network Inc	TBN
KSTR-DT	Univision (New)	UnM
KUVN-DT	Univision (New)	UNI
KFWD	WRNN-TV Associates LP	IND

[] = Station proposed to be assigned to WFAA-TV, Inc., a subsidiary of TEGNA Inc.

Source: BIA