

MULTIPLE OWNERSHIP RULE COMPLIANCE

Fox Television Stations, LLC (“*FTS*”) submits this Exhibit pursuant to, and in connection with, the Commission’s December 20, 2019 Public Notice announcing revised processing procedures for assignment applications on FCC Form 314.¹ This Exhibit corresponds to the application, as amended, requesting Commission consent to the acquisition by FTS of the licenses of television stations KCPQ-DT, Tacoma, WA (a Fox network-affiliated station); and KZJO-DT, Seattle, WA (a MyNetworkTV-affiliated station), each of which is located in the Seattle-Tacoma, Washington Nielsen DMA (“*Seattle-Tacoma DMA*”). This Exhibit supersedes Exhibit 18 of the initial application and demonstrates that the proposed assignment is in compliance with the Commission’s multiple ownership rules now in effect as a result of the decision of the U.S. Court of Appeals for the Third Circuit in *Prometheus Radio Project v. FCC*.²

Local Television Ownership Rules

Eight-Voices Test: As reflected in the chart below, nine independent full-power television “voices” will remain in the Seattle-Tacoma DMA after consummation of the proposed assignment.

SEATTLE-TACOMA, WA TV DMA ³				
	CALL	COMMUNITY OF LICENSE	NETWORK	OWNER
1.	KOMO-TV KUNS-TV	Seattle, WA Bellevue, WA	ABC CMT	Sinclair Broadcast Group Inc.
2.	KING-TV KONG	Seattle, WA Everett, WA	NBC IND	TEGNA Inc.
3.	KCPQ KZJO	Tacoma, WA Seattle, WA	FOX MY	Nexstar Media Group, Inc. [<i>PROPOSED FOX ACQUISITION</i>]
4.	KIRO-TV	Seattle, WA	CBS	Cox Media Group
5.	KSTW	Tacoma, WA	CW	CBS TV
6.	KWPX-TV	Bellevue, WA	IND	ION Media Networks
7.	KFFV KVOS-TV	Seattle, WA Bellingham, WA	ME H&I	Weigel Broadcasting Company
8.	KTBW-TV	Tacoma, WA	TBN	Trinity Broadcasting Network Inc.
9.	KBCB	Bellingham, WA	SBN	Venture Technologies Group LLC

¹ *Media Bureau Announces Procedures for Processing FCC Form 314 and 315 Assignment and Transfer of Control Applications for Commercial Stations in Light of Third Circuit Mandate*, Public Notice, MB Docket Nos. 14-50, 09-182, 07-294, 04-256, 17-289 (rel. Dec. 20, 2019).

² 939 F.3d 567 (3d Cir. 2019), *petition for rehearing en banc denied* (3d Cir. Nov. 20, 2019).

³ *Source:* BIA/Kelsey MEDIA Access Pro Online Television Analyzer Database (as of Nov. 12, 2019).

Top-Four Stations Test: Based on Nielsen audience share data for the Seattle-Tacoma DMA, Persons 12+, 9am-12mid, for the period October 3-November 5, 2019, KZJO is not ranked among the top four stations in the DMA. Accordingly, the proposed assignment complies with the Commission's top-four stations test.⁴

Radio/Television Cross-Ownership: FTS does not directly or indirectly own, operate, or control any radio stations. As a result, the Commission's radio/television cross-ownership rules are not implicated by this contemplated transaction.

Newspaper/Broadcast Cross-Ownership: FTS does not directly or indirectly own, operate, or control any newspapers in the Seattle-Tacoma DMA, nor does the service contour of KCPQ or KZJO encompass the community of publication of any newspaper that FTS directly or indirectly owns, operates, or controls. As a result, the Commission's newspaper/broadcast cross-ownership rules are not implicated by this contemplated transaction.⁵

Attribution of Joint Sales Agreements: FTS has not entered into, nor is a party to, any joint sales agreements with respect to KCPQ or KZJO. As a result, the Commission's joint sales agreement attribution rules are not implicated by this contemplated transaction.

National Television Ownership Rule

FTS currently has attributable interests in stations that in the aggregate reach 25.0% of the national television audience, as calculated in accordance with Section 73.3555(e) of the Commission's rules based on TV household data from Nielsen.⁶ In addition to this application, FTS has filed an application for consent to assign the licenses of its television stations in the Charlotte, North Carolina Nielsen DMA, WJZY-DT, Belmont, NC, and WMYT-TV, Rock Hill, SC, to a subsidiary of Nexstar Media Group, Inc ("*Nexstar*"), and Nexstar has filed an application for consent to assign the licenses of its television station in the Milwaukee, Wisconsin Nielsen DMA, WITI-DT, Milwaukee, WI, to FTS. Upon the closing of all three of these proposed transactions, FTS would have an attributable interest in television stations reaching in the aggregate 26.5% of the national audience.

⁴ 47 C.F.R. §73.3555(b); *see also* 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, Order on Reconsideration and Notice of Proposed Rulemaking, 32 FCC Rcd. 9802 (2017).

⁵ In an abundance of caution, we note that K. Rupert Murdoch and Lachlan K. Murdoch are officers of Fox Corporation and News Corporation. The Murdoch Family Trust also owns an attributable interest in both Fox Corporation and News Corporation. Fox Corporation is the ultimate parent of WNYW, New York, New York and WWOR-TV, Secaucus, New Jersey (both licensed to FTS), and News Corporation owns the New York Post in the New York DMA.

⁶ *See* The Nielsen Company (US), LLC, *Local Television Market Universe Estimates*, <https://www.nielsen.com/wp-content/uploads/sites/3/2019/09/2019-20-dma-ranker.pdf> (effective Sept. 28, 2019).