



Federal Communications Commission
Washington, D.C. 20554

July 3, 2014

Nexstar Broadcasting, Inc.
5215 North O'Connor Boulevard
Suite 1400
Irving, Texas 75039

Mr. Dayton Loyd,
Chapter Director, Central Illinois Chapter
Parents Television Council
P.O. Box 2553
Springfield, Illinois 62708-2553

Re: WCIA, Champaign, IL
File No. BRCT-20050801CTP
Facility ID No. 42124

Dear Petitioner/Licensee:

On October 26, 2005, Dayton Loyd ("Petitioner") filed a petition to deny opposing the license renewal of Station WCIA, Champaign, Illinois, licensed to Nexstar Broadcasting, Inc. ("Licensee"). For the reasons set forth below, we deny the petition to deny.

Background. Petitioner contends that Station WCIA violated community standards of decency, citing a March 15, 2006, *Notice of Apparent Liability for Forfeiture* ("NAL") issued against all CBS stations that aired the December 31, 2004, episode of the program "Without a Trace."¹ Petitioner contends that airing this program indicates that the Licensee has not acted in the public interest and lacks the character qualifications to be a Commission licensee.

Section 309(k)(1) of the Communications Act of 1934 (the "Act") states that the Commission shall grant a license renewal application if it finds that (a) the station has served the public interest, convenience, and necessity; (b) there have been no serious violations of the Communications Act or Commission rules and regulations; and (c) there have been no other violations by the licensee of this Act or the rules or regulations of the Commission which, taken together, would constitute a pattern of abuse.² The Commission will designate a hearing pursuant to Section 309(d)(1) of the Act if (a) the petitioner provides specific allegations of fact sufficient to show that such a grant would be prima facie inconsistent with the public interest;³ and (b) the allegations, taken together with any opposing evidence before the

¹ *Complaints Against Various Television Licensees Concerning Their December 31, 2004, Broadcast of the Program "Without a Trace,"* Notice of Apparent Liability for Forfeiture, 21 FCC Rcd 2732 (2006).

² 47 U.S.C. § 309(k)(1).

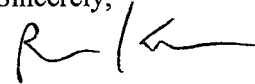
³ 47 U.S.C. § 309(d)(1); *Astroline Communications Co. Ltd. Partnership v. FCC*, 857 F.2d 1556 (D.C. Cir. 1988) ("Astroline").

Commission, raise a substantial and material question of fact as to whether grant would serve the public interest.⁴

Discussion. Petitioner's allegation concerning the December 31, 2004, episode of "Without A Trace" was mooted by the *NAL*, in which the Commission found certain CBS affiliated and owned-and-operated stations, including Station WCIA, apparently liable in the amount of \$32,500 per station for violation of the Commission's indecency prohibition.⁵ Although the Commission determined at the time that the airing of the material in question justified imposition of a forfeiture, we cannot find that the apparent violation was "serious" or evidenced a "pattern of abuse" that justifies denial or designation of the license renewal application.⁶

We therefore conclude that the petition does not allege violations that raise substantial and material questions of fact concerning the Licensee's qualifications or would otherwise justify designation of the Station WCIA license renewal application for hearing pursuant to section 309(k) of the Act.⁷ Accordingly, it is ordered that the petition to deny filed by Dayton Loyd **IS DENIED**.

Sincerely,



Barbara Kreisman
Chief, Video Division
Media Bureau

cc:
Elizabeth Ryder
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⁴ *Astroline*, 857 F.2d at 1561.

⁵ David P. Fleming, Esq., Letter Decision, 23 FCC Rcd 9957, 9959 (Vid. Div. 2008).

⁶ *Id.*

⁷ *Id.*