



Federal Communications Commission  
Washington, D.C. 20554

August 7, 2014

Fox Television Stations, Inc.  
Attention: Joseph M. Discipio  
400 N. Capitol Street NW  
Suite 890  
Washington, D.C. 20001

Jean Minea  
1324 Ottawa Avenue  
W. St. Paul, Minnesota 55118

Re: KMSP-TV, Minneapolis, Minnesota  
File No. BRCT-20051130BAM  
Facility ID No. 68883

Dear Petitioner/Licensee:

Petitioner Jean Minea filed a petition to deny opposing the license renewal of Station KMSP-TV, licensed to Fox Television Stations, Inc. ("Licensee"). For the reasons set forth below, we deny the petition to deny.

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, with respect to that station, 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.<sup>1</sup> With respect to whether grant will serve the public interest, 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;<sup>2</sup> and (b) the allegations, taken together with any opposing evidence before the Commission, raise a substantial and material question of fact as to whether grant would serve the public interest.<sup>3</sup>

Petitioner requests that, in reviewing the above-captioned license renewal application, the Commission take into consideration the December 10, 2003, airing of the *Billboard Music Awards*. Petitioner contends that the Commission must determine how well the Station has served the public interest and upheld community standards by refusing to air content that many find indecent.

We do not rule on the merits of Petitioner's allegations but have reviewed the facts presented in the petition and conclude that, even if a violation were adjudicated, any such violation would not justify

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<sup>1</sup> 47 U.S.C. § 309(k)(1).

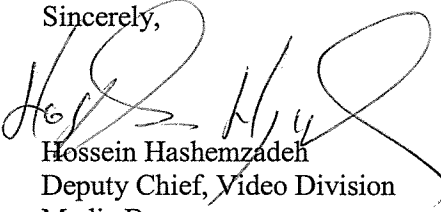
<sup>2</sup> 47 U.S.C. §309(d)(1); *Astroline Communications Co. Ltd. Partnership v. FCC*, 857 F.2d 1556 (D.C. Cir. 1988) ("Astroline").

<sup>3</sup> *Astroline*, 857 F.2d at 1561.

denial or designation of the license renewal application or demonstrate a pattern of non-compliant behavior.<sup>4</sup>

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 KMSP-TV license renewal application for hearing pursuant to section 309(k) of the Act.<sup>5</sup> Accordingly, it is ordered that the petition to deny filed by Jean Minea **IS DENIED**.

Sincerely,



Hossein Hashemzadeh  
Deputy Chief, Video Division  
Media Bureau

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<sup>4</sup> *EZ New Orleans, Inc.*, Memorandum Opinion and Order, 15 FCC Rcd 7164 (1999); *Eagle Radio, Inc.*, Memorandum Opinion and Order, 9 FCC Rcd 1294, 1295 (1994).

<sup>5</sup> Letter from Barbara A Kreisman, Chief, Video Division, to Dorann Bunkin, Esq., 22 FCC Rcd 19772, 19773 (Vid. Div. 2007).