



Federal Communications Commission
Washington, D.C. 20554

June 17, 2014

G. Gosnell
2804 West 9th
North Platte, Nebraska 69101

Gray Television Licensee, LLC
840 North 40th Street
Lincoln, Nebraska 68503

Pappas Telecasting of Central Nebraska, L.P.
823 West Center Avenue
Visalia, California, 93291

Re: Informal Objection

Dear Objectitioner/Licensees:

This is with respect to an Informal Objection filed by G. Gosnell in reference to the license renewal applications for the stations listed in Exhibit A. Based on the record before us, we deny the Informal Objection with respect to each of the stations.

In evaluating an application for license renewal, the Commission's decision is governed by Section 309(k) of the Communications Act of 1934 (the "Act").¹ When an informal objection is filed against a license renewal application, the Commission applies a two-step analysis under the public interest standard.² Under the public interest standard, the Commission must first determine whether the informal objection contains specific allegations of fact sufficient to show that granting the application would be *prima facie* inconsistent with the public interest.³ If an informal objection meets this first step, the Commission must determine "whether the totality of the evidence raises a substantial and material question of fact justifying further inquiry."⁴ If no such question is raised, the Commission will deny the informal objection and grant the application if it concludes that such grant otherwise serves the public interest, convenience, and necessity.⁵

Gosnell's objection refers to four stations: KNOP-TV, a full power television station licensed to Gray Television Licensee, LLC ("Gray"), KNPL-LD, a low power television station licensed to Gray, K11TW, a Class A television station licensed to Gray, and KHGI-CD, a Class A television station

¹ 47 U.S.C. § 309(k).

² *Astroline Communications Co. Ltd. Partnership v. FCC*, 857 F.2d 1556, 1561 (D.C. Cir. 1988); *Area Christian Television, Inc.*, Memorandum Opinion and Order, 60 RR 862, 864 (1986) (informal objections, like petitions to deny, must contain adequate and specific factual allegations sufficient to warrant the relief requested).

³ 47 U.S.C. § 309(k)(1).

⁴ *Citizens for Jazz on WRVR v. FCC*, 775 F.2d 392, 395 (D.C. Cir. 1985) (citing 47 U.S.C. §309(k)(2)); *Area Christian Television, Inc.*, 60 RR at 864.

⁵ 47 U.S.C. § 309(k)(1).

licensed to Pappas Telecasting of Central Nebraska, L.P. (“Pappas”). Gosnell contends that the licensees of the stations have failed to serve the public interest because their signal strength is too weak.⁶ Gosnell further contends that one of the licensees should not be allowed to own three stations in the North Platte, Nebraska Designated Market Area (“DMA”).⁷

Gosnell first argues that the arrangement in the North Platte DMA violates Section 73.3555(b) of the Commission’s rules,⁸ which allows a licensee to control two stations in a market only under certain conditions, none of which are satisfied here. Section 73.3555(b) of the Rules only applies to full power television stations, not Class A or low power television stations. Therefore, Gray’s ownership of a full power television station, a Class A television station, and a low power television station in the North Platte DMA complies with our Rules.

We have also considered Gosnell’s second argument regarding signal strength. We have reviewed the coverage of KNOP-TV and conclude that it complies with the coverage requirements detailed in Section 73 of our Rules.⁹ The remaining three stations—KNPL-LD, K11TW, and KHGI-CD, are either Class A or low power television stations, and our community coverage requirements do not apply to these classes of stations.

We therefore find that Gosnell fails to make the *prima facie* showing that grant of the license renewal applications would be inconsistent with the public interest. Moreover, we have carefully reviewed the renewal applications and conclude that grant would serve the public interest, convenience, and necessity.

ACCORDINGLY, IT IS ORDERED, that the Informal Objection filed by G. Gosnell is **DENIED**.

IT IS FURTHER ORDERED, that in accordance with Section 309(k) of the Communications Act of 1934, 47 U.S.C. § 309(k), that the license renewal applications are **GRANTED**.

Sincerely,



Barbara Kreisman
Chief, Video Division
Media Bureau

⁶G. Gosnell, Informal Objection (Feb. 19, 2014) at 1.

⁷ *Id.*

⁸ 47 C.F.R. § 73.3555(b).

⁹ 47 C.F.R. § 73.625.

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Exhibit A- Stations Against Which Informal Objection Was Filed

Station	Fac. ID	Community	License Renewal Application Number
KNPL-LD	7891	North Platte, NE	BRDTL-20140203AEG
KNOP-TV	49273	North Platte, NE	BRCDT-20140131APJ
K11TW	49285	North Platte, NE	BRTVA-20140131APY
KHGI-CD	168339	North Platte, NE	BRDTA-20140127AJB