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~~REFERENCE ROOM~~

Federal Communications Commission
Washington, D.C. 20554

May 1, 2008

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16th Floor
New York, New York 10023-6298

KHOU-TV, LP
c/o Kathleen A. Kirby, Esq.
Wiley Rein & Fielding, LLP
1776 K St., N.W.
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Post-Newsweek Stations, Houston, LLP
c/o William H. Fitz, Esq.
Covington & Burling
1201 Pennsylvania Ave., N.W.
Washington, DC 20004

Re: Applications for Renewal of Licenses of Houston,
Texas Television Stations

Dear Parties:

This is in regard to the applications for renewal of license of the following television stations:

KTRK-TV, Houston, Texas, Facility ID No. 35675, File No. BRCT-20060331BFA
KHOU-TV, Houston, Texas, Facility ID No. 34529, File No. BRCT-20060403BFT
KPRC-TV, Houston, Texas, Facility ID No. 53117, File No. BRCT-20060329ABY

Mr. Glenn Johnson, who states that he is resident of the stations' viewing area and a regular viewer of the stations has filed a petition to deny against each renewal. In his petitions to deny, Mr. Johnson states that the stations have demonstrated racial towards African-Americans in their news coverage.¹ For the reasons stated below, we deny the petition to deny.

The Commission is prohibited by the Communications Act of 1934, as amended, from censoring programs and from interfering with freedom of expression in broadcasting. The selection and presentation of material of a specific nature, i.e., programs for news and comment, is reserved for the broadcaster. Broadcasters are responsible for selecting all broadcast matter and for determining how their stations can best serve their communities. Thus, the Commission does not attempt to direct a licensee in the selection or presentation of specific programming, whether it is entertainment, political or religious in content. While we recognize that some viewers may prefer certain programming, the government is generally precluded by law from regulating any licensee's program presentation based on its content. Our approach has been to increase and diversify program choices through fostering more competition and outlets for expression in electronic media. This procedure is premised upon the belief that the public good is better served through a multitude of voices than through any kind of governmental program selection. In the absence of clear evidence that a licensee has abused the exercise of its discretion with respect to issue-related

¹ Mr. Johnson did not provide a mailing address with his filing. The Commission's Staff has attempted without success to contact him via email.

programming, the Commission generally does not involve itself in programming issues. Mr. Johnson's petitions to deny do not contain such clear evidence.

ACCORDINGLY, IT IS ORDERED That the petitions to deny filed by Mr. Glenn Johnson against the applications for renewal of license of the Houston, Texas television stations KTRK-TV, File No. BRCT-20060331BFA; KHOU-TV, File No. BRCT-20060403BFT; and KPRC-TV, File No. BRCT-20060329ABY ARE DENIED.

Sincerely,

A handwritten signature in black ink, appearing to read "Clay Pendarvis". The signature is fluid and cursive, with the first name "Clay" and last name "Pendarvis" clearly distinguishable.

Clay C. Pendarvis
Associate Chief, Video Division
Media Bureau