

A. DUOPOLY SHOWING

1. Washington, D.C. DMA

Fox Television Stations, Inc. ("FTS") is the licensee of WTTG(TV), Washington, D.C. Based on the most recent all-day (9:00 a.m. - midnight) audience share data published by Nielsen Media Research in May 2001, station WTTG(TV) was ranked 4th, and WDCA(TV) was ranked 5th in the Washington, D.C. DMA.¹ Thus, at least one of the two stations proposed to be owned by FTS in the Washington, D.C. DMA is not among the top four-ranked stations.

As demonstrated in the following table, as of the date of this assignment application, more than eight independently owned and operating commercial and noncommercial television stations are licensed to the Washington, D.C. DMA:

Washington, DC (DMA Market No. 8) – 14 Independently Owned and Operating Full-Power Stations

<u>Call Sign / Channel</u>		<u>Community of License</u>	<u>Affiliation</u>	<u>Licensee / Permittee</u>
1.	WTTG (5)	Washington, DC	Fox	Fox Television Stations Inc.
	WDCA (20)	Washington, DC	UPN	Paramount Stations Group of DC Inc. (Viacom International Inc.)
2.	WBDC-TV (50)	Washington, DC	WB	WBDC Broadcasting, Inc. (Tribune Broadcasting Co.)

¹ Preliminary audience share data released by Nielsen Media Research in July 2001 indicate that there has been no change in the ranking of either station since the release of the May data.

Fox Television Stations, Inc.
Exhibit No. 14, FCC Form 314
Section III (Assignee), Question 6
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<u>Call Sign / Channel</u>		<u>Community of License</u>	<u>Affiliation</u>	<u>Licensee / Permittee</u>
3.	WETA-TV (26)	Washington, DC	ETV	The Greater Washington Educational Telecommunications Association Inc.
4.	WFPT (62)	Frederick, MD	ETV	Maryland Public Broadcasting Commission (Maryland Public Television)
	WWPB (31)	Hagerstown, MD	ETV	Maryland Public Broadcasting Commission (Maryland Public Television)
5.	WHAG-TV (25)	Hagerstown, MD	NBC	Quorum of Maryland License LLC (Quorum Broadcast Holdings Inc.)
6.	WHUT-TV (32)	Washington, DC	ETV	Howard University
7.	WJAL (68)	Hagerstown, MD	WB	Channel 68 Broadcasting Corp. (Good Companion Broadcasting Co. Inc.)
8.	WJLA-TV (7)	Washington, DC	ABC	WJLA Inc. (Albritton Communications Co.)
9.	WNVC (56)	Fairfax, VA	ETV	Central Virginia Educational Telecommunications Corp.
	WNVT (53)	Goldvein, VA	ETV	Central Virginia Educational Telecommunications Corp.
10.	WPXW (66)	Manassas, VA	PAX	Paxson Communications of Washington-66 Inc. (Paxson Communications Corp.)
	WWPX* ² (60)	Martinsburg, VA	IND	DP Media License of Martinsburg Inc. (Paxson Communications Corp.)

² An "*" denotes a brokered station operating pursuant to an LMA with an in-market station.

<u>Call Sign / Channel</u>		<u>Community of License</u>	<u>Affiliation</u>	<u>Licensee / Permittee</u>
11.	WRC-TV (4)	Washington, DC	NBC	NBC Subsidiary Inc. (National Broadcasting Company)
12.	WTMW (14)	Arlington, VA	IND	Urban Broadcasting Corp.
13.	WUSA (9)	Washington, DC	CBS	Gannett Co., Inc. (Gannett Broadcasting Group)
14.	WVPY (42)	Front Royal, VA	ETV	Shenandoah Valley Educational TV Corp.

In addition, as demonstrated in the attached engineering study, the Grade B signal contours of 13 independently owned and operating full-power television stations overlap the Grade B contour of at least one of the stations in the proposed Washington, D.C. duopoly. Accordingly, FTS's acquisition of WDCA(TV) is permissible under the Commission's duopoly rule as modified on reconsideration.³

B. NATIONAL TELEVISION MULTIPLE OWNERSHIP

As of the date of this assignment application, Fox Television Holdings, Inc., parent of FTS (Fox Television Holdings, Inc. and FTS, collectively "Fox"), has an attributable

³ See *Review of the Commission's Regulations Governing Television Broadcasting*, FCC 00-431, 16 FCC Rcd 1067, 1070-73, paras. 11-19 (rel. Jan. 19, 2001).

interest in 34 commercial television broadcast stations having a national audience reach of 40.91 percent, based on current audience reach data.⁴

In the proposed transaction, FTS will sell station KBHK-TV, San Francisco, California, to Viacom in exchange for stations WDCA(TV), Washington, D.C. and KTXH(TV), Houston, Texas. As a result, FTS will create permissible duopolies in the Washington, D.C. and Houston, Texas DMAs. Because no market is counted more than once in calculating national audience reach,⁵ FTS's sale of its only station in the San Francisco-Oakland-San Jose DMA, combined with its proposed creation of television duopolies in the Washington, D.C. DMA and the Houston, Texas DMA, will decrease Fox's national audience reach from its current level of 40.91 percent to 39.72 percent. In addition, if the Commission approves the pending applications for assignment of station licenses KTVX(TV), Salt Lake City, Utah and KMOL-TV, San Antonio, Texas, from FTS to Clear Channel Broadcasting Licenses, Inc., Fox's national audience reach will be further reduced to 39.04 percent.⁶

⁴ See *Applications of UTV of San Francisco, Inc., et al. (Assignors) and Fox Television Stations, Inc. (Assignee)*, Memorandum Opinion and Order, FCC 01-209, para. 20 (rel. July 25, 2001).

⁵ See 47 C.F.R. § 73.3555(e); see also *Broadcast Television National Ownership Rules*, FCC 99-208, 15 FCC Rcd 20743, para. 1 (rel. Aug. 6, 1999), *aff'd on recon. Broadcast Television National Ownership Rules*, FCC 00-406, 16 FCC Rcd 1063, 1065, paras. 4, 6 (rel. Jan. 19, 2001).

⁶ See Application of Fox Television Stations, Inc., File No. BALCT-20010726AAR

(continued...)

⁶ (...continued)
(filed July 27, 2001) and Application of Clear Channel Broadcasting Licenses, Inc.,
File No. BALCT-20010726ABE (filed July 31, 2001).