



October 16, 2015

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

RE: KYTV, Springfield, Missouri
FCC File Number BALCDT - 20150917ACT

Dear Ms. Dortch:

On September 14, 2015, Schurz Communications, Inc. (“Schurz”) reached an agreement with Gray Television Group, Inc. (“Gray”) to sell all of its radio and television stations to Gray, including NBC affiliate KYTV in Springfield, Missouri. Three days later, the parties’ licensee subsidiaries filed the requisite assignment applications with the FCC. By this letter, Gray amends its portion of those assignment applications to withdraw our request that the Commission afford Gray the same brief temporary waiver of its rules that the Commission has granted in other recent transactions that would have permitted us a reasonable period of time to unwind a pre-existing joint sales arrangement (“JSA”).

As fully disclosed in numerous prior submissions by Schurz in several FCC proceedings, Schurz in 2006 helped to facilitate a new entrant, Perkin Media, LLC (“Perkin”), with its purchase of KSPR-TV in Springfield, Missouri. Among other things, at Perkin’s closing the following year, Schurz provided a guarantee of Perkin’s financing and in return obtained an option to acquire KSPR-TV and entered into a JSA for KSPR-TV. These arrangements proved widely successful for the local market as KSPR-TV has grown from a fourth-place station with no news into a strong competitor with an award-winning news product.

In applying to acquire the Schurz broadcast properties, Gray proposed a number of public interest benefits, including the immediate cessation of a JSA in Augusta, Georgia. The transaction also will bring about the end of a decades-long newspaper/broadcast cross-ownership arrangement in South Bend, Indiana, which incidentally will follow on Gray’s termination of a similar grandfathered newspaper/television cross-ownership situation in Cedar Rapids, Iowa. The Gray/Schurz assignment applications also proposed to finally resolve long-standing concerns about the inability of western Nebraska residents to obtain Nebraska news and the inability of northeastern Wyoming residents to watch Wyoming news. With regard to the Springfield market, we proposed to step into the shoes of Schurz by assuming the Schurz/Perkin option agreement and, for a limited period, the Schurz/Perkin JSA covering Perkin’s KSPR-TV. We disclosed that Gray would not assume Schurz’s guarantee of Perkin’s indebtedness.

It had been our plan to unwind the Springfield JSA in a more orderly fashion after the closing yet before the statutory deadline for JSA attribution, just as other acquirers have been allowed to do. Having unwound no less than six existing and planned JSAs over several months last year, we know that unwinding the Springfield JSA at the same time as we unwind the Augusta JSA and as we close an extremely large transaction raises the risk of potentially inadvertent errors that might adversely effect station employees and station clients.

Unfortunately, a local competitor yesterday informed us that it might seek to challenge the Gray/Schurz assignment applications. The apparent basis for this potential challenge would be this competitor's now-moot pleading from 8 years ago and Gray's audacity to seek the same temporary JSA waiver for KSPR-TV that other, much larger companies have obtained from the Commission in the past year. This threat was leveled with the knowledge that other JSA waiver recipients did not pledge to unwind at least one other JSA immediately upon closing of their proposed transactions, as Gray has done here. It apparently also did not matter that Perkin's principal, Bill Perkin, is KSPR-TV's full-time General Manager who actively oversees his station on a daily basis, evidencing a level of ownership and control simply not present at many television stations today.

Gray and Schurz share a strong commitment to the communities we serve and the dedicated employees in all of our markets. Both of our companies' leadership believe it would be untenable to permit even the risk of a potential meritless pleading fostering uncertainty among the employees and delaying our ability to deliver on the public interest benefits outlined in the applications. Consequently, Gray hereby amends the pending Gray/Schurz assignment applications, including in particular the above-captioned application, as follows:

1. Gray no longer proposes to assume the existing JSA with Perkin covering KSPR-TV, which agreement will therefore terminate at the Gray/Schurz closing.
2. Gray withdraws its request for a waiver of the ownership rules to permit the continuation of the existing JSA with Perkin covering KSPR-TV.
3. Gray no longer proposes to assume the existing Option Agreement with Perkin covering KSPR-TV, which agreement will become an "Excluded Asset" under the Asset Purchase Agreement with Schurz.

We reiterate for the record that Gray will not assume the existing guarantee of, nor will Gray on its own guarantee, Perkin's indebtedness.

With these revisions, we trust that any pleadings centering on the to-be-terminated Springfield JSA can be dismissed promptly without delaying the Commission's consideration of the Gray/Schurz assignment applications and their numerous public interest benefits. Please contact our respective counsel with any questions regarding this submission.

Respectfully submitted,



Kevin P. Latek
Senior Vice President, Gray Television, Inc.
Secretary, Gray Television Licensee, LLC

cc: Marci K. Burdick (Schurz Communications, Inc.)
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