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WILKINSON) BARKER) KNAUER) LLP

1800 M STREET, NW
SUITE 800N
WASHINGTON, DC 20036
TEL 202.783.4141
FAX 202.783.5851
www.wbklaw.com

October 28, 2015

VIA HAND DELIVERY

Accepted / Filed

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-A325
Washington, DC 20554
Attention: Media Bureau, Video Division

OCT 28 2015

Federal Communications Commission
Office of the Secretary

Re: Motion for Leave to Withdraw Application for Review
File No. BALCT-20061005ADY

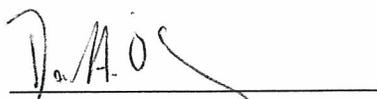
Dear Ms. Dortch:

Transmitted herewith, on behalf of KRBK LLC, the licensee of KRBK(TV), Osage Beach, Missouri, are an original and four (4) copies of its Motion for Leave to Withdraw Application for Review.

Please direct any questions concerning this matter to the undersigned.

Respectfully submitted,

WILKINSON BARKER KNAUER, LLP

By: 
David A. O'Connor
Counsel for KRBK LLC

Enclosure

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In re Application for Review of:)
)
FCC Consent to the Voluntary Assignment of)
the License for KSPR(TV), Springfield, MO)
)
From Piedmont Television of Springfield)
License, LLC (Assignor), to)
Perkin Media, LLC (Assignee))

File No. BALCT-20061005ADY

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Federal Communications Commission
Office of the Secretary

To: Office of the Secretary
For: The Commission

MOTION FOR LEAVE TO WITHDRAW
APPLICATION FOR REVIEW

KRBK LLC (“Koplar”),¹ by its counsel and pursuant to Section 73.3588(a) of the Commission’s rules,² hereby requests leave to withdraw the Application for Review filed by it with respect to the grant of the above-captioned assignment application. In support of this motion, Koplar states as follows:

On August 29, 2007, Koplar filed an Application for Review of a Media Bureau decision denying Koplar’s petition to deny the assignment application for television station KSPR(TV), Springfield, MO (“KSPR”).³ In the Application for Review, Koplar argued that the Media Bureau erred in granting the assignment application despite evidence of numerous interlocking arrangements between the licensee of KSPR and the licensee of KYTV(TV), Springfield, MO (“KYTV”) – arrangements which raise serious questions about the parties’ compliance with the

¹ KRBK LLC is the licensee of KRBK(TV), Osage Beach, Missouri. KRBK LLC and its parent entity, the Edward J. Koplar Revocable Trust, are the successors-in-interest to Koplar Communications International, Inc., which is the entity that filed the Application for Review. See File No. BTCCDT-20121204AEA (granted Dec. 17, 2012). For convenience, this pleading will refer to these entities collectively as “Koplar.”

² 47 C.F.R. § 73.3588(a).

³ *Piedmont Television of Springfield License LLC*, 22 FCC Rcd 13910 (MB 2007).

Commission's multiple ownership rules. The arrangements between KSPR and KYTV, which is held by a subsidiary of Schurz Communications, Inc. ("Schurz"), include a Joint Sales Agreement ("JSA"), a Shared Services Agreement ("SSA"), a studio Lease Agreement, and an Option Agreement allowing Schurz to purchase KSPR. Additionally, Schurz provides a guarantee of financing for KSPR's licensee, Perkin Media, LLC ("Perkin"). Koplar's objection to these arrangements has been pending before the Commission for more than eight years now.

On September 17, 2015, Schurz and Gray Television Group, Inc. ("Gray") filed applications to assign various broadcast stations, including KYTV, from Schurz to Gray.⁴ In the initial application, Gray proposed to "step into the shoes" of Schurz in the Springfield market by assuming the JSA, the SSA, the Option Agreement, and the studio Lease Agreement, but not the guarantee of Perkin's indebtedness.

On October 16, 2015, the parties amended the pending assignment application with respect to the Springfield market, stating that Gray "no longer proposes to assume the existing JSA with Perkin covering KSPR-TV, which agreement will therefore terminate at the Gray/Schurz closing."⁵ In addition, Gray indicated that it "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."⁶ Finally, Gray reiterated that it will not assume the existing guarantee of Perkin's indebtedness, nor will Gray on its own guarantee Perkin's indebtedness.⁷

Because Gray has voluntarily proposed, at closing, to either terminate or not assume nearly all of the interlocking arrangements to which Koplar objected in its Application for

⁴ File No. BALCDT-20150917ACT.

⁵ Letter from Kevin P. Latek, Senior Vice President, Gray Television, Inc. to Marlene H. Dortch, Esq., File No. BALCDT-20150917ACT, at 2.

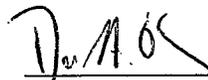
⁶ *Id.*

⁷ *Id.*

Review, Koplal believes that the Application for Review is now moot.⁸ In light of these changed circumstances, Koplal hereby requests leave to withdraw the Application for Review. As indicated in the attached Declaration, Koplal certifies that neither it nor its principals has received or will receive any money or other consideration for the withdrawal of the Application for Review.⁹

Respectfully submitted,

KRBK LLC



David A. O'Connor
Wilkinson Barker Knauer, LLP
1800 M Street, NW
Suite 800N
Washington, DC 20036
Tel: 202-783-4141
Email: doconnor@wbklaw.com
Its Counsel

October 28, 2015

⁸ Koplal notes that on October 19, 2015 Perkin filed a “Motion to Dismiss as Moot” with respect to the Application for Review. For the reasons stated herein, Koplal interposes no objection to that filing.

⁹ To the extent that Gray has suggested that Koplal threatened to challenge the Gray/Schurz assignment applications, Koplal denies any such allegation. Koplal has never threatened to file, and does not intend to file, a petition to deny or informal objection to the Gray/Schurz transaction. Rather, Koplal simply provided Gray with notice of Koplal’s intention to remind the Commission of the pending status of the Application for Review, and the need for Commission resolution of that proceeding. Based on Gray’s subsequent voluntary decision to amend the terms of the proposed Gray/Schurz transaction, Koplal has determined that the Gray/Schurz assignment application, as amended, has mooted the Application for Review.

DECLARATION

Edward J. Koplak hereby declares as follows:

1. I am the President of KRBK LLC and the sole trustee of its parent entity, the Edward J. Koplak Revocable Trust (collectively, "Koplak").
2. This Declaration has been prepared in support of the foregoing "Motion for Leave to Withdraw Application for Review" which is being filed with the Federal Communications Commission for purposes of seeking the voluntary withdrawal of Koplak's pending Application for Review filed on August 29, 2007 in connection with File No. BALCT-20061005ADY (the "Application for Review").
3. Neither Koplak nor any of its principals, subsidiaries or affiliates has received or will receive any money or other consideration for the withdrawal of the Application for Review.
4. There are no oral agreements with respect to the withdrawal of the Application for Review.
5. Neither Koplak nor any of its principals, subsidiaries or affiliates has threatened to file, or intends to file, a petition to deny or other informal objection to the Gray/Schurz transaction, File No. BALCDT-20150917ACT.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 28, 2015

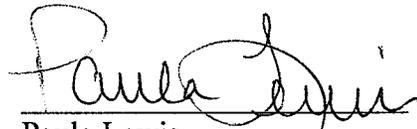

Edward J. Koplak

CERTIFICATE OF SERVICE

I, Paula Lewis, an employee of Wilkinson Barker Knauer, LLP, hereby certify that on October 28, 2015, I caused a copy of the foregoing Motion for Leave to Withdraw Application for Review to be served on the following by first class mail:

Dawn M. Sciarrino
Sciarrino & Schubert, PLLC
5425 Tree Line Dr.
Centreville, VA 20120

Jack N. Goodman
Law Offices of Jack N. Goodman
1200 New Hampshire Avenue, NW
Suite 600
Washington, DC 20006


Paula Lewis