

WASHINGTON, DC

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June 23, 2010

## VIA HAND DELIVERY & EMAIL

Ms. P. Michele Ellison Chief, Enforcement Bureau Federal Communications Commission 445 12th Street, SW Washington, DC 20554

Re: File No. EB-10-IH-0188; Consolidated Motion for Extension of Time

Dear Ms. Ellison:

On behalf of 202 television broadcast stations affiliated with the Fox Television Network, I am transmitting herewith an original and four copies of a Consolidated Motion for Extension of Time in the above-referenced proceeding.

Sincerely,

Dennis P. Corbett

DPC/rjc Attachment

cc (via email): FCC Chairman, all FCC Commissioners and their legal (media) advisors

Mr. William Davenport Ms. Hillary DeNigro Ms. Judy Lancaster

# Before the Federal Communications Commission Washington, DC 20554

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To: Chief, Enforcement Bureau Federal Communications Commission

### CONSOLIDATED MOTION FOR EXTENSION OF TIME

The licensees of the 202 television broadcast stations listed in the Attachment hereto ("Licensees") hereby collectively request that the Chief of the Enforcement Bureau ("Bureau") of the Federal Communications Commission ("FCC" or "Commission") grant an extension of time, in accordance with this Motion, for Licensees to respond to the above-captioned, substantively identical June 3, 2010 letters of inquiry ("Affiliate LOIs") sent by the Bureau to Licensees inquiring about the January 3, 2010 episode of the Fox Television Network ("FTN") program "American Dad" ("American Dad Episode"). In support whereof, the following is shown."

Simultaneously with the filing of this Motion, Licensees are submitting to the Bureau a Consolidated Petition for Expedited Stay (the "Petition"). The Petition asks the Bureau to stay the requirement that Licensees, respectively, respond to the Affiliate LOIs "until such time as the

<sup>&</sup>lt;sup>1</sup> All Licensees except FTN affiliates owned and operated by Fox Television Holdings, Inc. ("FTH") have authorized undersigned counsel from Lemman Senter PLLC to submit this consolidated Motion on their behalf. Counsel for Licensees of FTH-owned and operated stations are separately signing this Motion.

FCC establishes that the Local Viewer Complaint Predicate was satisfied with respect to each Licensee at the time of issuance of each Affiliate LOI." Petition at 6.2

Licensees anticipate that the processing of the Petition, by the Bureau or by the Commission on referral from the Bureau, will take some time. Because the gravamen of the Petition is that Commission precedent amply justifies a stay of the requirement that Licensees respond to the Affiliate LOIs, this Motion is an obvious and necessary adjunct to the Petition. With so many Affiliate LOIs involved, there is substantial public interest justification for extending the time for responding to them until such time as the vitally important public interest considerations articulated in the Petition can be resolved. Accordingly, Licensees request that the deadline for responding to the Affiliate LOIs be extended to a date ten business days after final resolution of the issues raised in the Petition.<sup>3</sup>

<sup>&</sup>lt;sup>2</sup> The Petition defines the Local Viewer Complaint Predicate as the principle rooted in Commission precedent and the First Amendment that the FCC will pursue indecency enforcement action against an individual television broadcast station only upon receipt by the FCC of a complaint against that station submitted by a local viewer. Petition at 4.

Grant of the Petition could (and should) render this Motion moot, as such grant would suspend the requirement that Licensees respond to the Affiliate LOIs. To the extent the Bureau is at all troubled by the fact that this Motion is linked to the agency's processing of the Petition and therefore does not propose a date certain as a new response deadline, Licensees, in the alternative, request a sixty (60)-day extension of time to respond to the Affiliate LOIs.

#### CONCLUSION

For the reasons set forth above, Licensees respectfully request that the Bureau grant Licensees' additional time to respond to the Affiliate LOIs, in accordance with this Motion and the Petition."

Respectfully submitted,

LICENSEES OF THE 202 TELEVISION BROADCAST STATIONS LISTED IN THE ATTACHMENT HERETO

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Washington, DC 20005

Counsel to FTN Affiliates Owned and Operated by Fox Television Holdings, Inc.

June 23, 2010

Lerman Senter PLLC 2000 K Street, NW Suite 600

Washington, DC 20006-1809

Counsel to Non-Fox-Owned and Operated FTN **Affiliates** 

<sup>&</sup>lt;sup>4</sup> As with the Petition, Licensees respectfully suggest that the Bureau may find it most appropriate to refer this Motion to the Commission pursuant to 47 C.F.R. § 0.5(c).

#### **ATTACHMENT**

American Spirit Media, LLC KYOU-TV, Ottumwa, IA

Barrington Albany License LLC WFXL, Albany, GA

Barrington Colorado Springs License LLC KXRM-TV, Colorado Springs, CO

Barrington Columbia License LLC WACH, Columbia, SC

Barrington Marquette License LLC WLUC-TV, Marquette, MI

Bayou City Broadcasting, LLC KIDY, San Angelo, TX KXVA, Abilene, TX

Broadcasting Licenses, L.P. KMVU-DT, Medford, OR

CMCG Portland License LLC WPFO, Waterville, ME

<u>Cadillac Telecasting Co.</u>
WFQX-TV, Cadillac, MI/WFUP, Vanderbilt, MI

<u>California Oregon Broadcasting, Inc.</u> KLSR-TV, Eugene, OR

Channel 40. Inc., Debtor-In-Possession KTXL, Sacramento, CA

<u>Chesapeake Television Licensee, LLC</u> WBFF, Baltimore, MD

Coastal Television Broadcasting Company LLC KTBY, Anchorage, AK

Columbus (WTTE-TV) Licensee, Inc. WTTE, Columbus, OH

Comcorp of Alexandria License Corp. WNTZ-TV, Natchez, MS

Comcorp of Baton Rouge License Corp. WGMB-TV, Baton Rouge, LA

Comcorp of Bryan License Corp. KYLE-TV, Bryan, TX

Comcorp of Louisiana License Corp. KADN-TV, Lafayette, LA

Comcorp of Texas License Corp.
KPEJ-TV, Odessa, TX
KMSS-TV, Shreveport, LA
KWKT-TV, Waco, TX

Commonwealth Broadcasting Group, Inc. WABG-TV, Greenwood, MS

Community Television of Colorado License, LLC
KDVR, Denver, CO
KFCT, Fort Collins, CO

Community Television of Missouri License, LLC
KTVI, St. Louis, MO

Community Television of North Carolina License, LLC WGHP, High Point, NC

Community Television of Ohio License, LLC WJW, Cleveland, OH

Community Television of Utah License, LLC KSTU, Salt Lake City, UT

Community Television of Wisconsin License, LLC
WITI, Milwaukee, WI

Compass Communications of Idaho, Inc. KFXP, Pocatello, ID

Cowles California Media Company KKFX-CA, San Luis Obispo, CA

<u>Davis Television Wausau, LLC</u> WFXS-DT, Wittenberg, WI

Entravision Holdings, LLC\*
KXOF-CA, Laredo, TX

Esteem Broadcasting of North Carolina LLC WFXI, Morehead City, NC

Esteem License Holdings, Inc. WEMT, Greeneville, TN

Falls Broadcasting Company KXTF, Twin Falls, ID

<u>Fisher Broadcasting-California TV, L.L.C.</u> KBFX-CA, Bakersfield, CA

Fox Television Stations, Inc. (Fox O&O)
WFXT, Boston, MA
WFLD, Chicago, IL
KRIV, Houston, TX
KTTV, Los Angeles, CA
WHBQ-TV, Memphis, TN
KMSP-TV, Minneapolis, MN
WNYW, New York, NY
WOGX, Ocala, FL
WOFL, Orlando, FL
WTXF-TV, Philadelphia, PA
WTTG, Washington, DC

GB Roanoke Licensing LLC WFXR, Roanoke, VA

GM LaCrosse Licensing LLC WLAX, La Crosse, WI

Gocom Media of Illinois, LLC WRSP-TV, Springfield, IL/WCCU, Urbana, IL

Gray Television Licensee, LLC WAHU-CA, Charlottesville, VA WBKO, Bowling Green, KY WHSV-TV, Harrisonburg, VA WTAP-TV, Parkersburg, WV KXII, Sherman, TX

Gulf-California Broadcast Company KECY-TV, El Centro, CA KDFX-CA, Indio/Palm Springs, CA KESQ-TV, Palm Springs, CA

High Maintenance Broadcasting, LLC KUQI, Corpus Christi, TX

Hill Broadcasting Company, Inc. KTVG-TV, Grand Island, NE

<u>Hoak Media of Nebraska License, LLC</u> K11TW, North Platte, NE

Huntsville Television Acquisition Licensing LLC WZDX, Huntsville, AL

Idaho Independent Television, Inc. KTRV-TV, Nampa, ID

Independence Television Company WDRB, Louisville, KY

Independent Communications, Inc.
KTTW, Sioux Falls, SD/KTTM, Huron, SD

Jackson Broadcasting LLC WDBD, Jackson, MS

Journal Broadcast Corporation WFTX-TV, Cape Coral, FL WSYM-TV, Lansing, MI

KABB Licensee, LLC KABB, San Antonio, TX

<sup>\*</sup> Entravision Communications Corporation holds a Section 325(c) permit to deliver programming to XHRIO in Mexico.

KBSI Licensee L.P.

KBSI, Cape Girardeau, MO

KDSM Licensee, LLC

KDSM-TV, Des Moines, IA

KEVN, Inc.

KEVN-TV, Rapid City, SD/KIVV-TV, Lead,

SD

KMSB-TV, Inc.

KMSB, Tucson, AZ

KOKH Licensee, LLC

KOKH-TV, Oklahoma City, OK

KQDS Acquisition Corp.

KQDS-TV, Duluth, MN

KSWB Inc., Debtor-In-Possession

KSWB-TV, San Diego, CA

KTVU Partnership

KRXI-TV, Reno, NV

KFOX-TV, El Paso, TX

KTVU, Oakland, CA

**KVVU** Broadcasting Corporation

KVVU-TV, Henderson, NV

LIN of Alabama, LLC

WALA-TV, Mobile, AL

LIN of New Mexico, LLC

KASA-TV, Santa Fe, NM

LIN of Wisconsin, LLC

WLUK-TV, Green Bay

Lincoln Broadcasting, LLC

KFXL-TV, Lincoln, NE

Lingard Broadcasting Corporation

WLOV-TV, West Point, MS

Louisiana Media Company, LLC

WVUE-DT, New Orleans, LA

MMM License LLC

KWYB, Butte, MT

KTMF, Missoula, MT

MMM License II LLC

KFBB-TV, Great Falls, MT

KHBB-LD, Helena, MT

Meredith Corporation

WHNS, Greenville, SC

KPTV, Portland, OR

Mission Broadcasting, Inc.

KCIT, Amarillo, TX

KHMT, Hardin, MT

WFXP, Erie, PA

WFXW, Terre Haute, IN

KJTL, Wichita Falls, TX

Morris Network of Mississippi, Inc.

WXXV-TV, Gulfport, MI

Mountain Licenses, L.P.

KAYU-TV, Spokane, WA

KCYU-LD, Yakima, WA/KFFX-TV, Pendleton,

OR

NPG of Oregon, Inc.

KFXO-LP, Bend, OR

KTVZ, Bend, OR

NW Communications of Austin, Inc. (Fox

<u>O&O</u>)

KTBC, Austin, TX

NW Communications of Phoenix, Inc. (Fox

O&O

KSAZ-TV, Phoenix, AZ

National Communications, LLC

KVHP, Lake Charles, LA

New Age Media of Pennsylvania License, LLC

WOLF-TV, Hazleton, PA

New Age Media of Tallahassee License, LLC

WTLH, Bainbridge, GA

New Age Media of Tennessee License, LLC Quad Cities Television Acquisition Licensing WDSI-TV, Chattanooga, TN LLC KLJB, Davenport, IA New World Communications of Atlanta, Inc. (Fox O&O) Quincy Broadcasting Company WAGA-TV, Atlanta, GA WGEM-TV, Quincy, IL New World Communications of Detroit, Inc. Ramar Communications, Inc. KJTV-TV, Lubbock, TX (Fox O&O) WJBK, Detroit, MI Red River Broadcast Co., LLC New World Communications of Tampa, Inc. KVRR, Fargo, ND (Fox 0&0) Rockfleet Broadcasting III, LLC WTVT, Tampa, FL WFVX-LP, Bangor, ME Newport Television License LLC SagamoreHill of Minnesota Licenses, LLC WXXA-TV, Albany, NY KXLT-TV, Rochester, MN KLRT-TV, Little Rock, AR WJKT, Jackson, TN Sainte Partners II, L.P. WAWS, Jacksonville, FL KCVU, Paradise, CA KOKI-TV, Tulsa, OK KSAS-TV, Wichita, KS Sainte Sepulveda, Inc. KBVU, Eureka, CA Nexstar Broadcasting, Inc. KBTV-TV, Port Arthur, TX Seal Rock Broadcasters, L.L.C. WTVW, Evansville, IN KCBA, Salinas, CA KFTA-TV, Ft. Smith, AR WFFT-TV, Ft. Wayne, IN Second Generation of Iowa, Ltd. WORF-TV, Rockford, IL KFXA, Cedar Rapids, IA KSFX-TV, Springfield, MO WFXV, Utica, NY Smith Media License Holdings, LLC KARD, West Monroe, LA WFFF-TV, Burlington, VT North Carolina Broadcasting Partners Southeastern Media Holdings, Inc. WCCB, Charlotte, NC WSFX-TV, Wilmington, NC WFXG, Augusta, GA Parker Broadcasting of Colorado, LLC WXTX, Columbus, GA KFQX, Grand Junction, CO

Peak Media of PA Licensee LLC WWCP-TV, Johnstown, PA

Prime Cities Broadcasting, Inc. KNDX, Bismarck, ND KXND, Minot, ND Stainless Broadcasting, L.P. WICZ-TV, Binghamton, NY

WFXB, Myrtle Beach, SC

Sunbeam Television Corporation WSVN, Miami, FL

Springfield Broadcasting Partners

Surtsey Media, LLC KFJX, Pittsburg, KS KVCT, Victoria, TX

<u>Tanana Valley Television Company</u> KFXF, Fairbanks, AK

Tribune Television Company, Debtor-In-Possession WPMT, York, PA WTIC-TV, Hartford, CT WXIN, Indianapolis, IN

<u>Tribune Television Holdings, Inc., Debtor-In-Possession</u>
WXMI, Grand Rapids, MI

<u>Tribune Television Northwest, Inc., Debtor-In-Possession</u>
KCPQ, Tacoma, WA

United Communications Corporation KEYC-TV, Mankato, MN WNYF/LP/CA/CD, Watertown/Massena, NY WWNY-TV, Carthage, NY

WAVY Broadcasting, LLC WVBT, Virginia Beach, VA

WGBC-TV, LLC WGBC, Meridian, MS

WBRC License Subsidiary, LLC WBRC, Birmingham, AL

WDAF License, Inc.
WDAF-TV, Kansas City, MO

WDFX License Subsidiary, LLC WDFX-TV, Ozark, AL

WDKY Licensee, LLC WDKY-TV, Danville, KY

WFLX License Subsidiary, LLC WFLX, West Palm Beach, FL

WMSN Licensee, LLC WMSN-TV, Madison, WI

WNAC, LLC WNAC-TV, Providence, RI

WPGH Licensee, LLC WPGH-TV, Pittsburgh, PA

WPGX License Subsidiary, LLC WPGX, Panama City, FL

WRAZ-TV, Inc. WRAZ, Raleigh, NC

WRGT Licensee, LLC WRGT-TV, Dayton, OH

WRLH Licensee, LLC WRLH-TV, Richmond, VA

WSJV Television, Inc. WSJV, Elkhart, IN

WSMH Licensee, LLC WSMH, Flint, MI

WSYT Licensee L.P. WSYT, Syracuse, NY

WTAT Licensee, LLC WTAT-TV, Charleston, SC

WTNZ License Subsidiary, LLC WTNZ, Knoxville, TN

WUHF Licensee, LLC WUHF, Rochester, NY

WUPW Broadcasting, LLC WUPW, Toledo, OH

WUTV Licensee, LLC WUTV, Buffalo, NY

WVAH Licensee, LLC WVAH-TV, Charleston, WV

#### WXIX License Subsidiary, LLC

WXIX-TV, Newport, KY

WYDC, Inc.

WYDC, Corning, NY

WYZZ Licensee, Inc.

WYZZ-TV, Bloomington, IL

WZTV Licensee, LLC

WZTV, Nashville, TN

Warwick Communications, Inc.

KFXK-TV, Longview, TX

West Central Ohio Broadcasting, Inc.

WOHL-CD, Lima, OH

Withers Broadcasting Company of Clarksburg,

LLC

WVFX, Clarksburg, WV

Woods Communications Corporation

WCOV-TV, Montgomery, AL

WyoMedia Corporation

KFNB, Casper, WY/KFNE, Riverton, WY

KLWY, Cheyenne, WY

KFNR, Rawlins, WY