

Good Morning,

For the reasons set forth in your e-mail, we grant Cox Television Jacksonville, LLC, a temporary waiver of the Local Television Ownership Rule to air the 4:30 am slot of Action New Jax as requested in the March 27th e-mail pursuant to the procedures set forth in the recent public notice, Guidance for Television Station That are Parties to Existing Local Marketing Agreements and/or Shared Services Agreement in Light of the Novel Coronavirus (COVID-19) Outbreak, Public Notice, DA 20-336 (rel. March 25, 2020). We find that, given the unique circumstances surrounding the COVID-19 outbreak, "good cause" has been shown for why strict application of the Local Television Ownership Rule in these circumstances would not be in the public interest. The waiver is granted conditioned upon the representations contained in your e-mail and will cease once the National Emergency is lifted. If you have any questions, please contact the undersigned.

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From: Basile, Michael <mdbasile@cooley.com>
Sent: Friday, March 27, 2020 8:20 AM
To: David Brown <David.Brown@fcc.gov>
Cc: Barbara Kreisman <Barbara.Kreisman@fcc.gov>; Long, Alysia (CMG-Atlanta-LD) <Alysia.Long@cmg.com>; Tim Nelson <TNELSON@brookspierce.com>
Subject: Formal Request for Temporary Waiver - WFOX-TV, Jacksonville, Florida

David –

We are submitting this request for Cox Television Jacksonville, LLC and Hoffman Communications, Inc. with respect to their shared operations in the Jacksonville, Florida market.

Cox Television Jacksonville, LLC (“CMG”) and Hoffman Communications, Inc. (“Hoffman”) are parties to that certain Amended and Restated Broadcast Services Agreement entered into as of February 16, 2018 (the “Broadcast Services Agreement”). Pursuant to the Broadcast Services Agreement, CMG, the FCC licensee of WFOX-TV, Jacksonville, Florida, produces local programming for Hoffman’s in-market station WJAX-TV, Jacksonville, Florida. WJAX-TV, an affiliate of the CBS network, recently learned that CBS intends to replace its live 4:30 a.m. nationwide newscast each weekday with a half hour rebroadcast of the prior night’s CBS Evening News national newscast, which airs at 6:30 p.m. local time. CMG and Hoffman have determined that during the period that the COVID-19 outbreak remains a national emergency, the public interest is better served by replacing that thirty-minute re-air of a dated national newscast with a simulcast of a live, local newscast of Action News Jax, currently airing on WFOX-TV at 4:30 a.m.

Replacing a repeat airing of national local news with live, local news coverage will permit CMG and Hoffman to extend to viewers of WJAX-TV their critical local coverage, a significant portion of which currently encompasses the COVID-19 crisis and its local impacts. The 4:30 a.m. Action News Jax newscast will include community-specific information such as how local Jacksonville hospitals are treating patients suspected of having COVID-19, as well as other announcements designed to protect the health and safety of viewers in and around Jacksonville. Moreover, information about the pandemic is changing constantly, so Action News Jax will provide viewers with the most up-to-date information instead of news that is at least ten hours old.

Based on the unique circumstances above, as previously described to the Commission, CMG and Hoffman respectfully request, pursuant to Section 1.3 of the Commission's rules^[1] and in accordance with the FCC's Public Notice concerning temporary waivers for brokered television stations,^[2] a temporary waiver of the FCC's Local Television Ownership Rule to provide two and a half hours a week of additional live, local news coverage regarding COVID-19 on WJAX-TV. Pursuant to the limitations set forth in the Public Notice, CMG and Hoffman hereby acknowledge that they must discontinue the additional Action News Jax programming on WJAX-TV once COVID-19 is no longer determined to be a national emergency.

^[1] 47 C.F.R. § 1.3.

² Guidance for Television Stations that are parties to Existing Local Marketing Agreements and/or Shared Services Agreements in Light of the Novel Coronavirus (COVID-19) Outbreak, *Public Notice*, DA 20-336 (rel. Mar. 25, 2020) (the "Public Notice").

We appreciate the Bureau's prompt action in creating a process for alleviating on a temporary basis a restriction that could impede local viewer access to important COVID-19 information. If you have any questions concerning this request, please contact the undersigned.

Michael D. Basile

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^[1] 47 C.F.R. § 1.3.

^[2] Guidance for Television Stations that are parties to Existing Local Marketing Agreements and/or Shared Services Agreements in Light of the Novel Coronavirus (COVID-19) Outbreak, *Public Notice*, DA 20-336 (rel. Mar. 25, 2020) (the "Public Notice").
