

March 21, 2016

WKTV  
5936 Smith Hill Rd.  
Utica, NY 13502

Rebecca Gretton  
160 Co. Hwy 27  
Richfield Springs, NY 13439



Dear Rebecca,

I received your letter dated March 18, 2016, regarding our compliance with the FCC CALM Act. I can assure you we are in full compliance. WKTV has sophisticated audio processing on all programming and on all four of our channels. We also have electronic monitoring on all four channels. We monitor them before they go out to distribution (to our transmitter, Time Warner, DirectTV and Dish Network) and we monitor them over-the-air from our transmitter. The monitoring device will flag any out of compliance audio should it occur, and it will email me if it occurs. The monitoring has never shown out-of-bounds audio on any of our channels.

While some commercials may seem louder than others due to the nature of them, ie, somebody that appears excited or is shouting, the actual audio level is held within the specified FCC limits by our audio processing. Viewers tend to perceive audio on these commercials as loud when in actuality it is not. Program material (non-commercial) is not regulated by the CALM Act, therefore you might be watching a program with low audio passages, and when a commercial comes on with a proper audio level, it seems like the commercial is too loud.

The FCC has not contacted us regarding out of compliance audio. If they do, I will provide them with files from our monitoring device as required.

Sincerely,

Tom McNicholl  
Chief Engineer