

Declaration of Stephen J. Wheeler

I, Stephen J. Wheeler, hereby declare, under penalty of perjury, as follows:

1. I am greater than eighteen years of age and am competent to make this Declaration.

2. I am President and General Manager of Station WSIL-TV, Harrisburg, Illinois. I have held these positions since 1987.

3. WSIL-TV is the network affiliate of the ABC Television Network located in the Paducah-Cape Girard-Harrisburg Designated Market Area.

4. Apparently, on February 25, 2003, the ABC Network made available to its affiliates the episode of *NYPD Blue* that is the subject of the Notice of Apparent Liability, FCC 08-25, dated January 25, 2008. Because the Station no longer has program logs from February 2003, I have been unable to confirm with certainty whether the episode aired on WSIL-TV on February 25, 2003, at 9:00 p.m. or whether the episode was preempted, delayed, or rescheduled for any reason.

5. The Station no longer has emails or letters that it received from the public in 2003, and we have, therefore, been unable to determine whether any local viewer complained to WSIL-TV about the February 25, 2003, episode of *NYPD Blue*. I do not recall any viewer complaints lodged with the Station concerning the February 25, 2003, episode. The Station is generally required to retain letters and emails from the public concerning operation of the station only for a period of three years, and we would have discarded letters and emails from February and March 2003 sometime after March 2006. If, prior to March 2006, the Commission had given notice to the Station that the February 25, 2003, episode of *NYPD Blue* was the subject of complaints filed with the Commission, we would have retained letters and emails from the public from February and March 2003 for later reference.

I declare, under penalty of perjury, that the foregoing Declaration is true and accurate to the best of my knowledge, information, and belief.

2/2/08
Date

Stephen J. Wheeler
Stephen J. Wheeler
President/General Manager of Station WSIL-TV