



December 28, 2011

BY HAND DELIVERY AND ELECTRONIC MAIL

RECEIVED - FCC

Sharon D. Lee
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Enforcement Bureau
Federal Communications Commission
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Room 4-A222
Washington, D.C. 20554
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DEC 28 2011

Federal Communications Commission
Bureau / Office

**Re: EB-11-TC-124
WUSA(DT), Washington, D.C.**

Dear Ms. Lee:

Detroit Free Press Inc., licensee of WUSA(DT), Washington, D.C. ("WUSA" or the "Station"), submits this response to the referenced Letter of Inquiry dated November 16, 2011 (the "LOI"), as supplemented by the Enforcement Bureau's e-mail, dated December 2, 2011, clarifying the scope of the material and information requested and extending the deadline for compliance until December 28, 2011 (the "LOI Clarification"). This response is timely filed pursuant to the extension of time granted in the LOI Clarification.

Along with the other licensees that received the LOI, WUSA appreciates the staff's clarifications to the initial LOI. We are proud of our service to our community and our viewers, especially with respect to our coverage of the events that are the subject of the LOI. Like the other respondents, however, WUSA is puzzled -- and concerned -- by both the substance and the implication of the LOI. The LOI does not include any allegations regarding the Station's dissemination of emergency information in connection with our coverage of either Hurricane Irene or the October 2011 tornadoes. In informal conversations subsequent to our receipt of the LOI, Bureau staff did not identify any viewer complaints regarding our coverage, and, as discussed below, the Station did not receive any.

To the extent the Commission seeks to collect information regarding the performance of area stations during times of public emergency, an interactive workshop format might have offered a more efficient vehicle for doing so, thereby conserving both Bureau and licensee resources. This Commission has employed such a format productively in the past -- including to review local coverage of weather emergencies. For instance, on March 22, 2010,

representatives of several Washington, D.C. television and radio stations, including WUSA, briefed the FCC's Communications Security, Reliability, and Interoperability Council on local stations' coverage of blizzards that had paralyzed the area -- and had shut down the FCC for several days -- the previous month. Then, in June 2010, the Commission, together with the Federal Emergency Management Agency, conducted a workshop to discuss and gather feedback on the Integrated Public Alert and Warning System.

In response to the LOI and the LOI Clarification, WUSA has isolated and copied a total of 144 hours of programming as it was broadcast over the Station during the time periods identified in the LOI Clarification. Personnel in the Station's community affairs and engineering departments collectively spent approximately 30 hours reviewing, compiling and dubbing these materials, taking time from their assigned duties at the Station. Of course, their efforts in assembling this response are in addition to the extraordinary commitment demonstrated by our entire station staff during the weather emergencies that are the subject of the LOI, when they worked around the clock to provide vital information to our community and our entire service area.

We also note that, although it is not evident from the airchecks submitted with this response, the Station eliminated numerous commercial breaks that would have occurred during the regularly-scheduled programming preempted by our weather coverage, with attendant make-good requirements and loss of revenue. This is in addition to overtime expense and additional newsroom costs incurred in connection with the Station's coverage of Hurricane Irene.

Each of the LOI's inquiries as clarified by the LOI Clarification is reproduced below, followed by WUSA's response.

A. Hurricane Irene

- 1. State the precise date(s) and time(s) during which the Company's Hurricane Irene coverage included emergency information. For each time listed, denote whether the coverage was a part of a regularly scheduled newscast, a newscast that interrupted regularly scheduled programming, or was accompanied by an aural tone.**

Response: Pursuant to the LOI Clarification, a response to this request is not required at this time.

- 2. State whether the Company disseminated all emergency information related to Hurricane Irene coverage through aural and visual presentation. If not, describe the circumstances that led the Company not to disseminate the emergency information aurally or visually, or both.**

Response: Pursuant to the LOI Clarification, a response to this request is not required at this time.

3. **Provide a DVD(s) that contains all programming related to the Company's Hurricane Irene coverage, including all audio and visual presentations. The DVD(s) should clearly identify the date(s) and hour(s) associated with when the coverage ran and some timing mechanism on the DVD that will enable a reference point for where specific coverage can be retrieved.**

Pursuant to the LOI Clarification, this inquiry is to be read as follows:

Provide DVDs that contain all programming from August 25-28, 2011, and October 13 and 14, 2011, including all audio and visual presentations. The DVDs should clearly identify the date(s) and hour(s) associated with when the coverage ran and some timing mechanism or electronic counter on the DVDs that will enable a reference point for reviewing and logging information.

Response: Enclosed herewith are two sets of DVDs. *Set 1* contains all programming broadcast over the primary program stream of WUSA from 12:00 AM on August 25, 2011, through 11:59 PM on August 28, 2011. *Set 2* contains all programming broadcast over the Station's primary program stream between 12:00 AM on October 13, 2011, through 11:59 PM on October 14, 2011. Each DVD is labeled to indicate the start and end times of the broadcast material included on the disc. Each DVD also includes embedded time code to provide a reference point for reviewing and logging the program information contained on the disc.

4. **If the Company's Hurricane Irene coverage included visual presentation of emergency information that is not included on the DVDs submitted in response to question 3, provide a transcript that clearly identifies emergency information that the Company presented visually during its broadcast that is not included on the DVD(s), including but not limited to any emergency captioning information, crawls, scrolls, or other text or graphical forms of communication. The transcripts should include the corresponding time on the DVD's timing mechanism so that we may determine where the emergency information contained in the transcript was presented in the Hurricane Irene coverage.**

Response: WUSA's broadcast coverage of Hurricane Irene is included in its entirety in DVD Set 1 covering the 96-hour period from 12:00 AM on August 25, 2011, through 11:59 PM on August 28, 2011. The DVDs capture the entire contents of the Station's primary program stream during that period, including closed captioning files, the visual presentation of emergency information and aural tones.

5. **State the number of complaints the Company has received from January 1, 2011 through September 30, 2011, alleging that the**

Company's dissemination of any emergency information was not accessible to visually or aurally impaired persons, or both.

Response: WUSA did not receive any complaints between January 1, 2011, through September 30, 2011, relating to its dissemination of emergency information for the visually or aurally impaired.

6. **Provide copies of complaints the Company has received since August 25, 2011, alleging that the Company's dissemination of emergency information during its Hurricane Irene coverage was not accessible to visually or aurally impaired persons. Provide copies of all complaints received and all related documents, including any written responses and any steps that the Company took to respond to the complainant.**

Response: WUSA has not received any complaints since August 25, 2011, pertaining to its dissemination of emergency information during its coverage of Hurricane Irene. WUSA received two e-mails from viewers praising the Station's coverage of Hurricane Irene. One viewer noted that "[n]ot a moment went by where I questioned Irene's status." Copies of these e-mails are attached hereto as Attachment A.

B. Tornado Coverage

1. **State the precise date(s) and time(s) during which the Company's tornado coverage included emergency information. For each time listed, denote whether the coverage was a part of a regularly scheduled newscast, a newscast that interrupted regularly scheduled programming, or was accompanied by an aural tone.**

Response: Pursuant to the LOI Clarification, a response to this request is not required at this time.

2. **State whether the Company disseminated all emergency information related to tornado coverage through aural and visual presentation. If not, describe the circumstances that led the Company not to disseminate the emergency information aurally or visually, or both.**

Response: Pursuant to the LOI Clarification, a response to this request is not required at this time.

3. **Provide a DVD(s) that contains all programming related to the Company's tornado coverage, including all audio and visual presentations. The DVD(s) should clearly identify the date(s) and hour(s) associated with when the coverage ran and some timing**

mechanism on the DVD that will enable a reference point for where specific coverage can be retrieved.

Pursuant to the LOI Clarification, this inquiry is to be read as follows:

Provide DVDs that contain all programming from August 25-28, 2011, and October 13 and 14, 2011, including all audio and visual presentations. The DVDs should clearly identify the date(s) and hour(s) associated with when the coverage ran and some timing mechanism or electronic counter on the DVDs that will enable a reference point for reviewing and logging information.

Response: As described above, enclosed herewith are two sets of DVDs. *Set 1* contains all programming broadcast over the primary program stream of WUSA from 12:00 AM on August 25, 2011, through 11:59 PM on August 28, 2011. *Set 2* contains all programming broadcast over the Station's primary program stream between 12:00 AM on October 13, 2011, through 11:59 PM on October 14, 2011. Each DVD is labeled to indicate the start and end times of the broadcast material included on the disc. Each DVD also includes embedded time code to provide a reference point for reviewing and logging the program information contained on the disc.

4. **If the Company's tornado coverage included visual presentation of emergency information that is not included on the DVDs submitted in response to question 3, provide a transcript that clearly identifies emergency information that the Company presented visually during its broadcast that is not included on the DVD(s), including but not limited to any emergency captioning information, crawls, scrolls, or other text or graphical forms of communication. The transcripts should include the corresponding time on the DVD's timing mechanism so that we may determine where the emergency information contained in the transcript was presented in the tornado coverage.**

Response: The Station's broadcast coverage of tornadoes in the Washington, D.C., area is included in its entirety in DVD Set 2 covering the 48-hour period from 12:00 AM on October 13, 2011, through 11:59 PM on October 14, 2011. The DVDs capture the entire contents of the Station's primary program stream during that period, including closed captioning files, the visual presentation of emergency information and aural tones.

5. **State the number of complaints the Company has received from January 1, 2011 through September 30, 2011, alleging that the Company's dissemination of any emergency information was not accessible to visually or aurally impaired persons, or both.**

Response: WUSA did not receive any complaints from January 1, 2011, through September 30, 2011, relating to its dissemination of emergency information for the visually or aurally impaired.

6. **Provide copies of complaints the Company has received since August 1, 2011, alleging that the Company's dissemination of emergency information during its tornado coverage was not accessible to visually or aurally impaired persons. Provide copies of all complaints received and all related documents, including any written responses and any steps that the Company took to respond to the complainant.**

Response: WUSA has not received any complaints since August 1, 2011, pertaining to its dissemination of emergency information during its tornado coverage.

C. General Request

State when the Company's current broadcast license was renewed and the expiration date of the Company's current license term. Provide supporting documentation.

Response: WUSA's broadcast license was renewed on February 10, 2005, for a full eight-year term expiring on October 1, 2012. A copy of the Station's renewal authorization can be found at http://licensing.fcc.gov/prod/cdbs/pubacc/Auth_Files/995927.pdf.

* * * * *

I am an authorized officer of WUSA. The information and representations contained in this response are based on my personal knowledge or have been provided by persons with knowledge thereof under my direction. The factual information contained in this response is true and accurate to the best of my knowledge and belief and all of the information requested by the LOI that is in WUSA's possession, custody, control, or knowledge has been produced. I declare under penalty of perjury that the foregoing is true and correct.

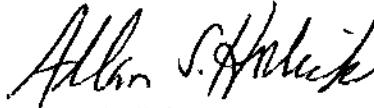
Separate declarations being submitted on behalf of station personnel who assisted in compiling the DVDs accompanying this response are attached hereto as Attachment B.

Two hard copies and three electronic copies of this letter are being submitted as instructed in the LOI. One complete set of DVDs responsive to the revised request in the LOI Clarification also is being submitted.

Sharon D. Lee, Deputy Division Chief
December 28, 2011
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Please let us know if you have any questions about this submission.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Allan S. Horlick". The signature is fluid and cursive, with the first name "Allan" being more prominent.

Allan S. Horlick
President and General Manager

Enclosures

cc w/encs: William C. Beckwith
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Attachment A

Viewer Correspondence

Piankhi, Khalim

From: Erin Dwyer [edwyer71@gmail.com]
Sent: Monday, August 29, 2011 3:26 PM
To: WUSA, 9news
Subject: Kudos to WUSA channel 9 news

Good afternoon -

I'd like to express my sincere appreciation to WUSA channel 9 news during the coverage of hurricane Irene. I'm sure that you will say "It is our job" but I feel as though the entire staff went above and beyond and deserve to be recognized. Not a moment went by where I questioned Irene's status.

Thank you!

A loyal fan,
Erin Dwyer
edwyer71@gmail.com

Piankhi, Khalim

From: Andrew S [amsull123@msn.com]
Sent: Saturday, August 27, 2011 6:23 PM
To: WUSA, 9news
Subject: Bruce Johnson

his coverage of the storm was EXCELLENT.

INFORMATIVE-KNOWLEDGEABLE AND EVEN ENTERTAINING!!

THE WHOLE FAMILY ENJOYED IT

WHAT A EXCELLENT REPORTER!!

GLENN BRENNER WOULD BE PROUD.

THANKS CHANNEL 9. THE BEST!!

ANDREW

Attachment B

Declarations

DECLARATION AND VERIFICATION

Khalim Piankhi hereby deposes and states:

1. I am Vice President, Community Relations for WUSA and an employee of Detroit Free Press, Inc., licensee of WUSA(DT) ("the Station"), Washington, D.C.
2. In connection with the Station's Response to the Federal Communications Commission's Letter of Inquiry, EB-11-TC-124, I participated in the preparation and review of DVDs containing all programming broadcast over the primary program stream of WUSA from 12:00 a.m. on August 25, 2011, through 11:59 p.m. on August 28, 2011 and from 12:00 a.m. on October 13, 2011, through 11:59 p.m. on October 14, 2011. The information contained in the DVDs is true and accurate to the best of my knowledge and belief.
4. I declare under penalty of perjury that the forgoing is true and correct.

Executed on December 23, 2011.

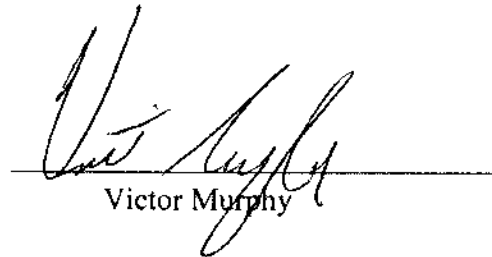

Khalim Piankhi

DECLARATION AND VERIFICATION

Victor Murphy hereby deposes and states:

1. I am Director of Technology and Operations for WUSA and an employee of Detroit Free Press, Inc., licensee of WUSA(DT) ("the Station"), Washington, D.C.
2. In connection with the Station's Response to the Federal Communications Commission's Letter of Inquiry, EB-11-TC-124, I participated in the preparation and review of DVDs containing all programming broadcast over the primary program stream of WUSA from 12:00 a.m. on August 25, 2011, through 11:59 p.m. on August 28, 2011 and from 12:00 a.m. on October 13, 2011, through 11:59 p.m. on October 14, 2011. The information contained in the DVDs is true and accurate to the best of my knowledge and belief.
4. I declare under penalty of perjury that the forgoing is true and correct.

Executed on December 23, 2011.



Victor Murphy