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S. Le/v Lansdowne-11
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STAMP AND RETURN

June 25, 2007

Kathleen A. Kirby
202.719.3360
kkirby@wileyrein.com

BY HAND DELIVERY & E-MAIL

Marlene H. Dortch, Secretary
Federal Communications Commission
236 Massachusetts Avenue, N.E.
Suite 110
Washington, D.C. 20002

FILED/ACCEPTED

JUN 25 2007

Federal Communications Commission
Office of the Secretary

Attention:
Melanie Godschall
Investigations and Hearings Division
Enforcement Bureau
Room 4-C330

**Re: Station WTOK-TV, Meridian, Mississippi
File No. EB-06-IH-3712**

Dear Ms. Godschall:

On behalf of Gray Television, Inc. ("Gray"), corporate parent of the licensee of television station WTOK-TV, Meridian, Mississippi, enclosed please find a response to the Commission's letter dated April 26, 2007 in the above-referenced proceeding.

Should there be any questions concerning this filing, please contact the undersigned.

Respectfully submitted,

Kathleen A. Kirby

Enclosures

cc: WTOK-TV
Robert A. Beizer



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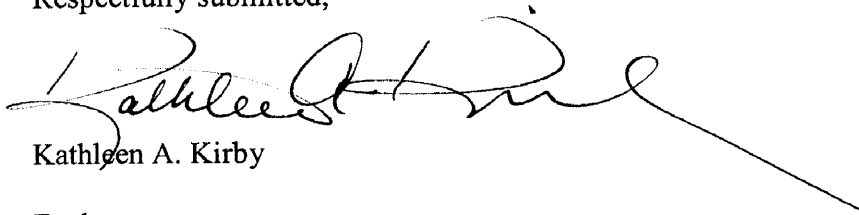
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Robert A. Beizer

GRAY

TELEVISION, INC.

Robert A. Beizer
VP - Law & Development

June 25, 2007

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Attention:
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Room 4-C330

**Re: Station WTOK-TV, Meridian, Mississippi
File No. EB-06-IH-3712**

Dear Ms. Godschall:

On behalf of Gray Television, Inc. ("Gray"), corporate parent of the licensee of television station WTOK-TV, Meridian, Mississippi, I hereby respond to the above-referenced letter of inquiry ("Letter") dated April 26, 2007.

The Letter indicates that the Enforcement Bureau ("Bureau") is investigating whether Gray violated the sponsorship identification statute, 47 U.S.C. § 317, or the FCC sponsorship identification rules. The Letter states that the Center for Media and Democracy ("CMD") has alleged that Gray violated the rules by broadcasting the following video news release ("VNR") on the following date:

- TCS Daily, on May 31, 2006

WTOK-TV incorporated a very brief portion of the VNR into a news segment independently produced by television journalists at WTOK-TV and aired during three newscasts on May 31, 2006. The VNR portion used by WTOK-TV was reasonably related to the news segment, which reported on the conclusion of hurricane researcher Dr. William Gray that global warming was not responsible for the heavy hurricane seasons of 2005 and 2006, and also on Dr. Gray's predictions for the 2007 hurricane season. The video footage excerpted from the VNR simply depicted Dr. Gray speaking publicly to an audience at the National Hurricane Conference. The news segment aired by WTOK-TV did not advertise or endorse any products or positions. The predictions made by Dr. Gray

and his team at Colorado State University have been deemed newsworthy by any number of journalists, including those who work in print, broadcast, and online media.¹

WTOK-TV's journalists did not receive and were not promised any consideration whatsoever to broadcast audio or video of Dr. Gray from the VNR. Nor could the segment reasonably be said to advocate any one side of a controversial issue without disclosure to viewers. As explained below, WТОK's journalists simply excerpted video of Dr. Gray speaking at a public event from material it received through an electronic news content system and included it in a completely independent news segment. As such, WТОK-TV complied with the sponsorship identification statute and the FCC sponsorship identification rules.

The sponsorship identification statute, 47 U.S.C. § 317(a)(1), provides safe harbor to a station that broadcasts material "furnished without charge or at nominal charge." The provision's legislative history demonstrates that Congress drafted the section 317(a)(1) safe harbor provision with the expectation that it would protect broadcasters in situations, such as WТОK-TV's, in which a station exercises its First Amendment right to air third-party material without having been promised or having received consideration. In passing the statute, the House of Representatives explained that no sponsorship identification announcement is required where "[n]ews releases are furnished to a station ... and editorial comment is used on a program."² With specific reference to video footage, the House further elaborated that, because of the section 317(a)(1) exemption, broadcasters need not identify the provider of video "furnishe[d] free to broadcast station . . . because there is no payment other than the matter furnished for broadcast."³

In April 2005, the FCC told broadcasters that "Section 317(a)(1) of the Act provides generally that no sponsorship identification is necessary with regard to material that is furnished to the licensee 'without charge or at a nominal charge.'"⁴ A month later, Senator Daniel K. Inouye, co-chairman of the Senate Commerce Committee, praised the responsible use of VNRs when he told his committee, "When used appropriately, VNRs,

¹ See, e.g., Michael E. Ruane, *Fierce, Busy Storm Season Ahead, Experts Say*, WASH. POST, May 23, 2007, at A7; Carl Bialik, *It's Hurricane Forecast Season Again*, THE WALL STREET JOURNAL ONLINE, Apr. 3, 2007, <http://blogs.wsj.com/numbersguy/2007/04/03/its-hurricane-forecast-season-again>; Jay Gray, 'Very Active' hurricane season predicted (NBC News Apr. 3, 2007), video available at <http://www.msnbc.msn.com/id/17928737>; Jeremy Alford, *After Hard Lessons, a New Game Plan for Hurricane Seasons*, N.Y. TIMES, March 29, 2006, at A18.

² Communications Act Amendments, 1960, H.R. Rep. No. 1800, at § 7 (1960), reprinted in U.S.C.C.A.N. 3516, 3529 (setting forth as examples of the operation of the proposed provision that would become 47 U.S.C. § 317(a)(1)).

³ *Id.*

⁴ *Commission Reminds Broadcast Licensees, Cable Operators and Others of Requirements Applicable to Video News Releases and Seeks Comment on the Use and Video News Releases by Broadcast Licensees and Cable Operators*, 20 FCC Rcd 8593 (2005).

like written press releases, can provide television news directors with an important source of information and video footage that can then be reviewed and edited to create independent news stories.”⁵ Such was the case here.

WTOK-TV acted responsibly and appropriately when it used a very brief portion of the TS Daily VNR. Its journalists selected the brief segment using their independent editorial judgment, edited the segment to maximize its relevance to viewers, and integrated the material into an independently produced newscast. Their actions fall outside of the purview of section 317(a)(1) and are further protected by the First Amendment.

Based on the (i) the attached declaration of Justin Wade Phillips (“Phillips Declaration”) (Exhibit A), (ii) the attached declaration of Timothy Walker (“Walker Declaration”) (Exhibit B), (iii) the attached declaration of Thomas D. Smith (“Smith Declaration”) (Exhibit C), (iv) the material recorded on the two identical enclosed VHS videotapes (the “Recording”), and (v) the attached transcript of the Recording (“Transcript”) (Exhibit D), Gray hereby responds to the Bureau’s inquiries as follows:

1. For each VNR programming segment identified above, state whether the Licensee’s station listed above aired the VNR program material as alleged in the CMD Study. If so, provide the following information:

In each of three live newscasts on May 31, 2006, WТОK-TV used approximately 10 seconds of the 85-second VNR duplicated on the CMD website at http://www.prwatch.org/fakenews/vnrs/vnr40/040_VNR.mov (“CMD Original”). See Recording.

- a. the date(s) on which the Licensee received the VNR program material;**
- b. any materials the Licensee received that accompanied the;**
- c. the person(s) from whom Gray received the VNR or SMT program material;**

Justin Wade Phillips, reporter, anchor, and producer for WТОK-TV, obtained the VNR program material through the Pathfire News system (“Pathfire”), an electronic news content delivery service, on May 31, 2006. See Phillips Declaration (Exhibit A).

From Pathfire, Mr. Phillips obtained the video material reflected in the Recording and additional video material included in the CMD Original. Mr. Phillips cannot recall what, if any, additional material Pathfire made available. See Phillips Declaration (Exhibit A).

⁵ Statement of Daniel K. Inouye, Hearing: S. 967—Pre-packaged News Stories, May 12, 2005.

d. state whether the Licensee broadcast the VNR program material as received, without changes or editing. If the response to 1(d) is "no," describe specifically what content of the VNR program material was edited.

WTOK-TV did not broadcast the VNR program material as received and, in fact, edited the VNR substantially. Specifically, after obtaining the VNR program material, Mr. Phillips selected a 10-second portion of the 85-second VNR to use in a news segment he prepared for the 5 p.m. WТОK-TV newscast. In the 10-second segment, Dr. William M. Gray, a noted hurricane predictor and professor of atmospheric science at Colorado State University, speaks to an audience at the National Hurricane Conference about his belief that global warming was not the cause of the increased frequency of North American hurricanes during the 2004 and 2005 hurricane seasons.

The VNR segment Mr. Phillips selected was reasonably related to the content of the news segment that Mr. Phillips produced. The full news segment, which aired during the 5 p.m. newscast and is included as the first segment on the Recordings, used the VNR video to introduce Dr. Gray to viewers and to set up a discussion of Dr. Gray's predictions for the 2007 hurricane season. *See* Recordings, Transcript (Exhibit D). When the news segment reaired at 6 p.m. and 10 p.m., however, it was shortened substantially because of time constraints. *See* Recordings, Transcript (Exhibit D). WТОK-TV routinely produces reports about Dr. Gray and his conclusions; in 2006, the station featured Dr. Gray at least seven times. *See* Phillips Declaration.

Mr. Phillips added additional visuals depicting hurricane activity from the VNR to the as-aired segment to supplement Dr. Gray's remarks. The script that Mr. Phillips wrote for the news segment, however, was entirely original.

e. the date(s) and time(s) that the Licensee aired any portion of the VNR program material;

WTOK-TV aired the 30-second news segment produced by Mr. Phillips and containing the VNR program material at 5:01 p.m., 6:05 p.m. and 10:04 p.m. on May 31, 2006.

f. two recordings in VHS videotape format of the program(s) containing the VNR program material;

Enclosed are VHS videotape recordings of the three May 31, 2006 news segments containing the VNR program material.

g. a written transcript of the segment(s) containing the VNR program material;

A written transcript of the three segments containing the VNR program material is enclosed as the Transcript (Exhibit D).

h. the steps, if any, the Licensee took to determine whether the VNR program material required sponsorship identification, and the information Licensee learned through taking any such steps;

i. whether the Licensee was aware of or had reason to believe that any person involved in the production of the VNR segment paid or received consideration for the inclusion of material in the segment; and

j. whether the Licensee identified the VNR program material as sponsored, and if so, the manner in which that identification took place.

Because he had no reason to believe that WTOK-TV, its employees, or anyone else had received consideration for WTOK-TV's broadcast of the material obtained through Pathfire, Mr. Phillips did not take any steps to determine whether the program material required sponsorship identification before using a portion of it in the WTOK-TV newscast. Therefore, WTOK-TV did not identify the material as sponsored. *See Phillips Declaration (Exhibit A).*

Mr. Phillips states that he selected the VNR from Pathfire, from which he generally obtains most non-local news items for the WTOK-TV 5 p.m. newscast. Mr. Phillips further states that, although the Pathfire system WTOK-TV uses supplies news items from about 10 different sources, Mr. Phillips generally only selects news items that Pathfire designates as originating from ABC News or CNN. Mr. Phillips generally would not select a news item that Pathfire designated as originating from a VNR producer. Mr. Phillips states that he cannot recall whether or not Pathfire identified the VNR as non-editorial content. *See Phillips Declaration (Exhibit A).* Therefore, assuming Pathfire did not clearly identify the VNR as sponsored, Mr. Phillips and Gray had no reason to believe that any person involved in the production of the VNR segment paid or received consideration for the inclusion of material in the segment.⁶ *See Phillips Declaration (Exhibit A).*

2. For each VNR programming segment identified above, state whether the Licensee, or any of its employees or representatives, received or were promised any consideration, from any source, in exchange for airing the VNR or SMT program material. If so, provide the following information:

Gray did not receive and was not promised any consideration in exchange for airing the VNR program material. None of Gray's employees received or were promised

⁶ Gray submits that the program material, as reflected in the CMD Original, is not easily identifiable as sponsored. The video does not advertise or endorse a product. The video itself is unmarked and does not identify the sponsor or the VNR producer. In this regard, it is notable that the Center for Media and Democracy's report faults Medialink Worldwide, the VNR producer, for not disclosing the ultimate source of the funds used to sponsor the VNR. *Oil Lobbyist's "News" Denies Inconvenient Truths*, <http://www.prwatch.org/fakenews2/vnr40> (last visited June 15, 2007).

any consideration in exchange for airing the VNR program material. See Walker Declaration, Phillips Declaration, Smith Declaration.

- a. the person(s) from whom such consideration was received or was promised;
- b. the consideration involved;
- c. the dates on which the payment was promised and/or received;
- d. the circumstances surrounding each such payment or promise to pay; and
- e. any pertinent documentation relating thereto.

3. State the policies and procedures of Gray relating to:

- a. compliance with 47 U.S.C. § 317 of the Communications Act of 1934, as amended, and the Commission's sponsorship identification rules; and
- b. provide a copy of any written policies and procedures that the Licensee uses or used during the relevant period to train its employees or representatives about compliance with the sponsorship identification laws; and

The Gray policy and procedures relating to compliance with and training about Section 317 and the Commission's sponsorship identification rules is attached as Attachment A to the Walker Declaration (Exhibit B).

- c. the handling and use of VNR program material.

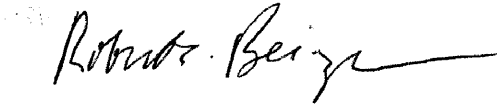
WTOK-TV's VNR policy is included as Attachment B to the Walker Declaration (Exhibit B).

4. To the extent not otherwise specifically requested, provide copies of all Documents that otherwise provide the basis for, support or otherwise relate to the responses to Inquiries 1 through 3 above.

Gray has no other information relating to this response.

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

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Robert A. Beizer", with a long horizontal flourish extending to the right.

Robert A. Beizer
Vice President of Law & Development
Gray Television, Inc.

Enclosures

cc by e-mail: Benigno E. Bartolome (Ben.Bartolome@fcc.gov)

Declaration of Justin Wade Phillips

I, Justin Wade Phillips, make the following declaration under penalty of perjury:

1. I am Reporter, Anchor, and Producer for WTOK-TV, Meridian, Mississippi. I anchor and produce the 5 p.m. newscast for WTOK-TV, and, as part of my responsibilities, I select and edit content for the 5 p.m. newscast. This content is sometimes repeated on the station's 6 p.m. and 10 p.m. newscasts. I have reviewed a letter from the FCC dated April 26, 2007, regarding a complaint that WTOK-TV violated the sponsorship identification statute or the sponsorship identification rules by broadcasting a video news release on May 31, 2006.
2. On May 31, 2006, I produced a recorded segment for the 5 p.m. WTOK-TV newscast using video material I obtained that day from the Pathfire News system, an electronic video news content delivery service. I often use Pathfire to obtain non-local video for the 5 p.m. news. At the time, the Pathfire system I used supplied news items from about 10 different sources. I generally only select and use news items that Pathfire designated as originating from ABC News or CNN. I generally do not select or use items that Pathfire designates as originating from a VNR producer or labeled as a sponsored VNR.
3. The recorded segment I produced on May 31, 2006 concerned the conclusion of Dr. William M. Gray that global warming was not responsible for the high frequency of hurricanes during the hurricane seasons of 2004 and 2005. The segment introduced a live, in-studio discussion of Dr. Gray's predictions for the 2006 hurricane season. Dr. Gray is a professor of atmospheric science at Colorado State University and is widely regarded as one of the nation's foremost hurricane predictors. Because Meridian is frequently affected by hurricane activity, Dr. Gray's conclusions and predictions are often the subject of news coverage by WTOK-TV. I have included as Attachment 1 examples of seven other scripts we presented in 2006 broadcasts that feature Dr. Gray's research.
4. I used portions of the video obtained from Pathfire in the recorded segment I produced concerning Dr. Gray's global warming conclusion. The Pathfire video was identical or nearly identical to the video hosted on the Center for Media and Democracy's website. I do not recall whether Pathfire labeled the video I obtained as sponsored, or whether Pathfire categorized the video as a VNR. I also do not recall if, and to what extent, Pathfire provided additional materials to supplement the video.
5. To prepare the as-broadcast news segment for the 5 p.m. news, I excerpted a brief segment from the Pathfire video that I obtained. The 10-second segment I excerpted showed part of Dr. Gray's presentation at the National Hurricane Conference in Orlando, Florida, in 2006. In the as-broadcast news segment, I also included additional Pathfire video showing hurricane activity, but the only audio I used from Pathfire was that of Dr. Gray's speech. The script I spoke from to

present the news segment during the 5 p.m. newscast, which was also used in the 6 p.m. and 10 p.m. newscasts, was entirely original.

6. Because I had no reason to believe that the Pathfire video was sponsored, or that WTOK-TV or any of its employees would receive or was promised consideration for broadcast of the material, I did not take any steps to determine whether the video I obtained from Pathfire required sponsorship identification. I also did not identify the material as sponsored in the segment I prepared or the script I wrote.
7. I did not receive and was not promised any consideration in exchange for airing the Pathfire video.

6-19-07

Date



Justin Wade Phillips

TALENT ON CAM
CAMERA = MS# 943

TAKE PKG
RUNS=1:32
OUTCUE =STANDARD
CG 2 LINE DR. WILLIAM GRAY
COLORADO STATE UNIVERSITY
IN 16 SECONDS

((TOM))
EXPERTS WARN ANOTHER ABOVE AVERAGE
HURRICANE SEASON IS EXPECTED THIS YEAR,
THOUGH THEY DON'T BELIEVE THIS SEASON WILL
BE NEARLY AS ACTIVE AS LAST.
SONYA CRAWFORD HAS MORE.
((PKG))
2005 IS A YEAR MANY WHO LIVE ALONG THE GULF
COAST AND IN FLORIDA WOULD LIKE TO FORGET.
IT WAS THE COSTLIEST AND MOST DESTRUCTIVE
HURRICANE SEASON EVER - 80 BILLION DOLLARS
IN DAMAGE FROM KATRINA ALONE. (SOT DR.
WILLIAM GRAY / COLORADO STATE UNIVERSITY)
WE THINK IT'S GOING TO BE A FAIRLY ACTIVE
SEASON THIS YEAR, MUCH IN KEEPING WITH THE
9 OF THE LAST 11 YEARS. (GFX) FORECASTERS
AT COLORADO STATE UNIVERSITY TEAM PREDICT
17 NAMED STORMS THIS YEAR WITH NINE
BECOMING HURRICANES, FIVE OF THEM
REACHING AT LEAST CATEGORY 3 STATUS. LAST
YEAR THERE WERE A RECORD 27 NAMED
STORMS, WITH 15 BECOMING HURRICANES, 7 OF
THEM MAJOR. ASIDE FROM THE NUMBERS,
DOCTOR GRAY SAYS FEWER MAJOR STORMS
WILL MAKE LANDFALL THIS YEAR. PREDICTING
HURRICANES IS AN INEXACT SCIENCE - THE
COLORADO STATE TEAM REVISED THEIR
FORECAST SEVERAL TIMES LAST YEAR AND STILL
FAILED TO PREDICT WE'D RUN OUT OF NAMES
FOR STORMS. BUT THERE'S NO QUESTION WE'RE
IN A PERIOD OF HEIGHTENED ACTIVITY. (SOT DR.
GRAY) ATLANTIC SURFACE TEMPERATURES ARE
VERY WARM NOW. WE'RE IN THIS ACTIVE PERIOD
THAT WE EXPECT TO LAST ANOTHER 15 OR 20
YEARS. DOCTOR GRAY DOESN'T BELIEVE
HUMAN-INDUCED GLOBAL WARMING IS CAUSING
MORE STORMS IN THE ATLANTIC, BUT THERE IS
EVIDENCE THAT WARMER SEA SURFACE
TEMPERATURES - NATURALLY CAUSED OR NOT
- ARE CAUSING HURRICANES, TYPHOONS AND
CYCLONES TO BECOME MORE POWERFUL. SONYA
CRAWFORD, ABC NEWS, WASHINGTON.

TALENT ON CAM
CAMERA =2 PLSMA MS# 601

((TALENT))

FORECASTERS AT THE UNIVERSITY OF COLORADO ARE AGAIN LOWERING THEIR PREDICTIONS FOR THE HURRICANE SEASON.

TAKE VO

((VO))

THE TEAM THERE SAYS IT NOW EXPECTS ONLY FIVE HURRICANES INSTEAD OF THE SEVEN IT HAS PREVIOUSLY FORECAST . . . THAT WOULD MAKE IT A SLIGHTLY BELOW NORMAL HURRICANE SEASON THIS YEAR.

THE REVISION IS THEIR SECOND IN A MONTH . . . STILL FORECASTER WILLIAM GRAY SAYS RESIDENTS IN COASTAL AREAS SHOULD ALWAYS BE PREPARED FOR MAJOR STORMS.

EXHIBIT A
ATTACHMENT 1

[WTOK]ARCHIVE.2006.SEP SLUG HURRICANE # DROPS A10 - 1

5/2/2007 10:14:30, USER Wade Phillips

TALENT ON CAM
CAMERA =2 PLSMA MS# 601

>>>SPECIAL GRAPHICS REQUEST<<<
HURRICANES FORECAST DOWN

COLORADO STATE UNIVERSITY HURRICANE
FORECAST TEAM

5 HURRICANES THIS SEASON

13 NAMED STORMS

CGGEXT

((TALENT))
GOOD NEWS FOR THOSE ALONG THE ATLANTIC -
RESEARCHERS HAVE REDUCED THEIR
HURRICANE OUTLOOK FOR 2006.
((TAKE GRAPHIC))
A HURRICANE FORECAST TEAM AT COLORADO
STATE UNIVERSITY NOW EXPECTS ONLY FIVE
HURRICANES THIS SEASON. THE TEAM INITIALLY
CALLED FOR 17 NAMED STORMS IN THE ATLANTIC
FROM JUNE THROUGH NOVEMBER, THEY NOW
SAY ONLY 13 STORMS WILL FORM. BUT AT LEAST
TWO OF THOSE STORMS COULD BE INTENSE
HURRICANES.

EXHIBIT A
ATTACHMENT 1

[WTOK]ARCHIVE.2006.OCT SLUG HURRICANE FORECAST D01 - 1

5/2/2007 10:11:46, USER Wade Phillips

TALENT ON CAM
CAMERA = 3
*CG WPHILLIPS
TAKE VO

((TALENT))
HURRICANE EXPERTS ARE PREDICTING ONE MORE
ATLANTIC HURRICANE IN 2006.

((VO))
COLORADO STATE UNIVERSITY RESEARCHERS
SAY THAT AND TWO MORE NAMED STORMS WILL
HAPPEN BY THE TIME THIS YEAR'S HURRICANE
SEASON ENDS. BUT THEY SAY THEY EXPECT NO
"INTENSE" HURRICANES DURING THE MONTHS OF
OCTOBER AND NOVEMBER. THE UPDATED
REPORT AGAIN CALLS FOR A BELOW-AVERAGE
HURRICANE SEASON IN THE ATLANTIC, WITH A
TOTAL OF FIVE HURRICANES AND ELEVEN NAMED
STORMS.

TALENT ON CAM
CAMERA =3

((TALENT))

WE'VE ONLY JUST LEFT BEHIND HURRICANE
SEASON 2006 AND ALREADY THE PREDICTIONS
ARE OUT FOR HURRICANE SEASON 2007.

>>>SPECIAL GRAPHICS REQUEST<<<
HURRICANE PREDICTIONS 2007

A COLORADO STATE UNIVERSITY HURRICANE
FORECASTER IS PREDICTING ABOVE-AVERAGE
HURRICANE ACTIVITY FOR NEXT YEAR.
EXPECTATIONS ARE SET FOR 14 NAMES STORMS,
INCLUDING THREE MAJOR AND FOUR LESSER
HURRICANES. BUT FEWER OF THOSE STORMS
ARE EXPECTED TO MAKE LANDFALL THAN IN THE
2005 SEASON.

14 NAMED STORMS
3 MAJOR HURRICANES
4 LESSER HURRICANES

COLORADO STATE UNIVERSITY
HURRICANE FORECASTER

CG GFX3

EXHIBIT A
ATTACHMENT 1

[WTOK]ARCHIVE.2006.OCT SLUG HURRICANE FORECAST D01 - 1

5/2/2007 10:18:48, USER Wade Phillips

TALENT ON CAM
CAMERA = 3
~~*CG WPHILLIPS~~
TAKE VO

((TALENT))
HURRICANE EXPERTS ARE PREDICTING ONE MORE
ATLANTIC HURRICANE IN 2006.
((VO))
COLORADO STATE UNIVERSITY RESEARCHERS
SAY THAT AND TWO MORE NAMED STORMS WILL
HAPPEN BY THE TIME THIS YEAR'S HURRICANE
SEASON ENDS. BUT THEY SAY THEY EXPECT NO
"INTENSE" HURRICANES DURING THE MONTHS OF
OCTOBER AND NOVEMBER. THE UPDATED
REPORT AGAIN CALLS FOR A BELOW-AVERAGE
HURRICANE SEASON IN THE ATLANTIC, WITH A
TOTAL OF FIVE HURRICANES AND ELEVEN NAMED
STORMS.

EXHIBIT A
ATTACHMENT 1

[WTOK]ARCHIVE.2006.SEP SLUG HURRICANE # DROPS A10 - 1

5/2/2007 10:18:41, USER Wade Phillips

TALENT ON CAM
CAMERA =2 PLSMA MS# 601

>>>SPECIAL GRAPHICS REQUEST<<<
HURRICANES FORECAST DOWN

COLORADO STATE UNIVERSITY HURRICANE
FORECAST TEAM

5 HURRICANES THIS SEASON

13 NAMED STORMS

CG GFX

((TALENT))
GOOD NEWS FOR THOSE ALONG THE ATLANTIC -
RESEARCHERS HAVE REDUCED THEIR
HURRICANE OUTLOOK FOR 2006.

((TAKE GRAPHIC))
A HURRICANE FORECAST TEAM AT COLORADO
STATE UNIVERSITY NOW EXPECTS ONLY FIVE
HURRICANES THIS SEASON. THE TEAM INITIALLY
CALLED FOR 17 NAMED STORMS IN THE ATLANTIC
FROM JUNE THROUGH NOVEMBER, THEY NOW
SAY ONLY 13 STORMS WILL FORM. BUT AT LEAST
TWO OF THOSE STORMS COULD BE INTENSE
HURRICANES.

Declaration of Timothy Walker

I, Timothy Walker, make the following declaration under penalty of perjury:

1. I am General Manager for WTOK-TV, Meridian, Mississippi. As part of my responsibilities, I oversee the production of news content for WTOK-TV and the maintenance of archives of WTOK-TV programming. I have reviewed a letter from the FCC dated April 26, 2007, regarding a complaint that WTOK-TV violated the sponsorship identification statute or the sponsorship identification rules by broadcasting a video news release on May 31, 2006.
2. The station has prepared two identical VHS recordings of the portions of WTOK-TV's 5 p.m., 6 p.m. and 10 p.m. newscasts that contain the news segments referred to in the complaint. The specific news segments aired at 5:01 p.m., 6:05 p.m. and 10:04 p.m. The station also has provided the scripts for the news segments.
3. The station has provided a copy of Gray's policy and procedures relating to compliance with and training about the sponsorship identification statute and the sponsorship identification rules. *See Attachment 1.*
4. On November 15, 2006, I sent the attached e-mail memorandum to all WTOK-TV news personnel informing them of changes to the station's policy regarding use of video news releases and satellite media tours. *See Attachment 2.* As of that date, WTOK-TV has a strict policy prohibiting the use of VNRs and SMTs.
5. I did not receive and was not promised any consideration in exchange for WTOK-TV's airing of the news segments referred to in the complaint.

6/20/07

Date

Timothy B. Walker

Timothy Walker

GRAY TELEVISION, INC.



**YOUR
EMPLOYEE
HANDBOOK**

A Guide to Human Resources Policies

REVISED JANUARY, 2006

CODE OF ETHICS FOR GRAY TELEVISION, INC.

Gray Television, Inc. ("Gray") adheres to the highest standards of business ethics in dealing with the company's employees, customers, suppliers, investors and the general public. Gray conducts its business affairs with honesty, integrity and in compliance with governmental rules and regulations including, but not limited to, the rules and regulations of the Securities and Exchange Commission ("SEC"), the New York Stock Exchange ("NYSE"), the Federal Communications Commission ("FCC"), the Federal Trade Commission ("FTC") and the U.S. Department of Labor.

This Code of Ethics ("Code") applies to Gray, its subsidiaries and their directors, officers and employees and provides a set of expectations to guide the company's behavior. This Code focuses the board and management on areas of ethical risk, provides guidance to all employees to help them recognize and deal with ethical issues, presents mechanisms for reporting unethical conduct, and helps to foster a culture of honesty and accountability.

Violations of this Code may subject the violator to disciplinary action, including where appropriate, termination of employment.

The Audit Committee of the Gray Board of Directors will report significant violations to the Board and recommend appropriate action to the Board.

Employees, Directors and Officers

All employees, directors and officers of Gray are expected to perform their duties in compliance with this Code. Everyone is treated, and expected to treat others, with fairness, respect and dignity. Gray offers equal opportunities for employment to all individuals and does not tolerate intimidation, harassment or discrimination based on race, sex, age, color, religion, national origin, veteran's status or disability.

Compliance with Laws and Regulations

All employees, directors and officers are expected to comply with all laws and regulations.

Confidential Information

All employees, directors and officers must respect and maintain the confidentiality of information entrusted to them by Gray or its customers except when disclosure is authorized or legally mandated. Gray also requires full compliance with "Insider Trading Laws" that restrict securities trading by persons with access to material nonpublic information.

Conflict of Interest

At Gray, private interests may in no way interfere with or appear to interfere with the interests of the company as a whole. Employees, directors and officers should avoid situations in which their actions or interests make it difficult to perform company work objectively and effectively. Employees, directors and officers may not compete with the company or disadvantage Gray by taking for personal gain corporate opportunities. Any employee involved in a conflict of interest or a transaction or relationship that reasonably could be expected to give rise to a conflict must report the matter promptly to the employee's management. Any officer or director in such situations must report it to the Audit Committee.

Gifts and Gratuities

Exchanging gifts, entertainment and other reasonable favors is a common and appropriate practice in business interactions. Gray does not, however, accept, offer or authorize exchanges that are not a reasonable part of a business relationship. Hospitality is exercised with discretion as not to jeopardize the integrity of any party involved.

Competitive Practices

Gray competes vigorously, but fairly, in compliance with all applicable antitrust and competition laws. Gray's business interactions are designed to promote a competitive economy and fair and vigorous competition.

Financial Integrity

Gray is committed to recording all business transactions accurately and truthfully in accordance with generally accepted accounting principles. Appropriate internal controls are maintained to prevent or detect fraud and to ensure that accounting/financial records and supporting data describes transactions without omission, concealment or falsification.

Financial Disclosure

Gray will make full, fair, accurate and understandable disclosure in reports and documents it files with the SEC and in other public communications.

Protection of Assets

All employees, officers and directors should protect Gray's assets and ensure their efficient use. Gray's assets should be used only for legitimate business purposes as theft, carelessness and waste directly impacts the company's profitability.

Duty to Seek Guidance and Report

Anyone with questions about compliance with this Code or legal requirements should seek guidance from management.

Any employee, director and officer that observes any conduct or business practice which may violate this Code or legal requirements has an obligation to report the matter promptly to the attention of the management of Gray or to the Chairman of the Audit Committee. Anyone wishing to make such a report may, at their discretion, bring the matter to the attention of the respective individuals listed in Attachment A. Reports will be held in confidence to the extent practical based on the specific facts and circumstances of the report. Individuals making reports may choose an option of submitting their concerns anonymously by not identifying

themselves. If an individual making a report believes that the matter is not being properly addressed, the individual has an obligation to bring the matter to the attention of a higher level of management or to make a supplemental report directly to the Chairman of the Audit Committee.

Management and directors shall promptly provide information on significant violations of the Code or legal requirements to the Audit Committee.

There will be no retaliation for reporting violations where the reports are made in good faith.

Waivers

Waivers of the provisions of this Code may be granted only by the Gray Board of Directors or a Board committee. Any request for a waiver must be in writing and addressed to the Audit Committee of the Board. Waivers will be disclosed promptly as required by applicable law and regulations.

Conclusion

Gray is committed to maintaining the highest ethical standard in all business related endeavors and expects and requires an equal commitment from each of its employees, directors and officers.

From: Tim Walker [mailto:Tim.Walker@wtok.com]
Sent: Wednesday, November 15, 2006 9:29 AM
To: 'Andrea.Williams (andrea.williams@wtok.com)'; 'Charles Daniel'; 'Chris Brennaman'; 'Christian Monsour'; 'Heather Cook'; 'John Johnson'; 'Josh Johnson'; 'Lindsey Brown'; 'Lindsey.hall@wtok.com'; 'Reneee Lasalle'; 'Sheila McLain'; 'Sidney Luvene (sidney.luvene@wtok.com)'; 'tom.daniels@wtok.com'; 'Wade Phillips'
Cc: 'Pat Dalbey'
Subject: IMPORTANT!!! Video News Releases

MEMORANDUM

November 15, 2006

TO: ALL NEWS PERSONNEL
FROM: TIM WALKER
RE: AIRING OF VIDEO NEWS RELEASES / SATELLITE MEDIA TOURS

WTOK-TV policy prohibits the use of Video News Releases without clear disclosure of the source of the story. The Federal Communications Commission has very strict guidelines for disclosure of VNR sources. Due to a recent alleged airing of material that was from a Video News Release, though not clearly apparent that it was such, we are further modifying our policy to prohibit the use of any Video News Releases. News management will monitor this policy closely. In the event news management determines that it is in the public interest to air a story from a VNR source, they will instruct you on proper identification measures.

If at any point you are planning to air a story from a source that could be in the form of a corporate or political action committee news release, you are to receive management approval before airing the story.

Management will make the decision if the story in question can air, or if it may require further identification of the source when aired. One should not consider a story air worthy simply by it being delivered to us via an ABC or CNN news feed service such as Pathfire. It is also likely that stories of questionable origin may reside in sections of the feed service that may not be categorized as a VNR.

Airing such releases without proper identification could leave the station vulnerable to fines from the Federal Communications Commission. The FCC is currently investigating 70+ stations for airing undisclosed corporate video news releases and others may be investigated as well. If you have any questions regarding this policy, please see John Johnson or myself.

Tim Walker
General Manager
WTOK-TV / DT
815 23rd Ave.
Meridian, MS 39301
Direct (601) 703-2102
Direct Fax (601) 703-2087
tim.walker@wtok.com

Declaration of Thomas D. Smith

I, Thomas D. Smith, make the following declaration under penalty of perjury:

1. I am Reporter, Anchor, and Producer for WTOK-TV, Meridian, Mississippi. I anchor and produce the 6 p.m. and 10 p.m. newscasts for WTOK-TV, and, as part of my responsibilities, I select and edit content for those newscasts. I have reviewed a letter from the FCC dated April 26, 2007, regarding a complaint that WTOK-TV violated the sponsorship identification statute or the sponsorship identification rules by broadcasting a video news release on May 31, 2006.
2. On May 31, 2006, I selected a news segment produced by Wade Phillips for the 5 p.m. WTOK-TV newscast to use on the 6 p.m. and 10 p.m. newscasts. The segment concerned Dr. William Gray's conclusion that global warming was not responsible for the heavy hurricane seasons of 2004 and 2005. I edited the scripts of the segment to reduce its length, but I did not make any changes to the visuals used in the segment.
3. I did not receive and was not promised any consideration in exchange for WTOK-TV's airing of the news segments referred to in the complaint.

June 20th, 2007
Date

Thomas D. Smith

Thomas D. Smith

EXHIBIT D

[WTOK]ARCHIVE.2006.JUN SLUG 5
9:17:28 under

5/2/2007 9:31:57, USER Wade Phillips

PAGE	TAL	SLUG	FORMAT	TAPE #	TIMECODE	GRAPHICS	TIME	BACKTIME	CG	EP
E		BREAK 5					2:35	18:26:40	OK	tdaniels
E01	T/J	ANCHOR-FAVORITE	VO	1375	00:31:19		0:20	18:28:15	OK	tdaniels
E02	CD	WEATHER RECAP					0:30	18:28:35	OK	tdaniels
E03	TD	TEN STORY-WENDY	VO	1389	00:05:40		0:15	18:29:05	OK	tdaniels
E04	ALL	SHOW CLOSE	READER				0:40	18:29:20	OK	tdaniels
E05	TD	TEN TEASE	VO				0:00	18:30:00	OK	tdaniels
E06	TD	FOX TEASE	VO				0:00	18:30:00	OK	tdaniels
F		WHEEL OF FORTUNE					0:00	18:30:00	OK	
		5PM					0:00	16:58:56	OK	
		DATE: 05/31/06					0:00	16:58:56	OK	
01	NOT	READY TO PRINT					0:00	16:58:56	OK	
A		START SHOW					0:25	16:58:56	OK	
A01	WP	HURRICANE SEASON	SOT	1365	01:06:15		0:05	16:58:10	OK	
A02	WP	COLD OPEN	VO	COLD	OPEN TAPE		0:15	16:58:15	OK	
A03	WP	HURRICANES/GAS PRICES	READER			MS# 657	0:25	16:58:30	OK	
A04	W/L	HURRICANES/GAS PRICES	TOSS				0:00	16:58:55	OK	
A05	LB	HURRICANES/GAS PRICES	VOB	1385		MS# 657	0:50	16:58:55	OK	
A06	LW	HURRICANES/GAS PRICES	TOSS				0:00	16:59:45	OK	
A07	WP	GAS PRICES	GFX			*	0:25	16:59:45	OK	
A08	WP	HURRICANE TRANSPORTA	VO	1384	00:28:15	MS# 943	0:25	17:00:10	OK	
A09	WP	GRAY/HURRICANES	VOB	1391	00:06:16	MS# 943	0:45	17:00:35	OK	
A10	WP	HURRICANE PREDICTIONS	GFX			*	0:20	17:01:20	OK	
A11	CD	FIRST WEATHER					0:30	17:01:40	OK	
A12	WP	MISSING ATTORNEY	VO	1380	00:36:17		0:25	17:02:10	OK	
A13	WP	DITCH PROBLEMS	VOB	1362	01:04:42		1:05	17:02:35	OK	
A14	WP	DENVER BRACKEEN	VOB	1388	00:16:31	MS# 637	0:45	17:03:40	OK	
A15	WP	BRACKEEN OBIT	GFX			*	0:30	17:04:25	OK	
A16	WP	UNCLAIMED MONEY	VOB	1382	00:22:27		1:00	17:04:55	OK	
A17	WP	PARTNERSHIP FUNDING	VOB	1377	00:32:39	MS# 666	0:45	17:05:55	OK	
A18	WP	BOYS STATE	VOB	1383	00:18:16		0:40	17:06:40	OK	
A19	WP	TEASE WEATHER	VO	TEASE	ONE TAPE		0:15	17:07:20	OK	
B		BREAK 1					2:05	17:07:35	OK	
B01		BLOOMBERG	SOT				1:00	17:09:40	OK	
B02	JOS	WEATHER					3:00	17:10:40	OK	
v	WP	NEW YORK TRIP	VOB	1363	01:02:59		0:40	17:13:40	OK	
B04	WP	NEXT SEGMENT TEASE	VO	TEASE	TWO TAPE		0:15	17:14:20	OK	
C		BREAK 2					2:00	17:14:35	OK	
C01	WP	INTERVIEW	LIVE				2:00	17:16:35	OK	
C02	WP	HEALTHWATCH	PKG	1376	00:30:52		1:30	17:18:35	OK	
D		BREAK 3					2:05	17:20:05	OK	
D01	WP	ABOUT THE HOUSE	PKG	ATH 2		MS#984	1:25	17:22:10	OK	
D02	WP	MR. FOOD	PKG/ MR.	FOOD		MS#983	1:30	17:23:35	OK	
E		BREAK 4					2:00	17:25:05	OK	
E01	WP	TOSS TO SPORTS	TWO SHOT				0:15	17:27:05	OK	
E02	LH	BRAVES/MLB	READER			BOX 619	0:20	17:27:20	OK	lhall
E03	LH	ROGER CLEMENS	VO	632	20:34	*	0:20	17:27:40	OK	lhall
E04	LH	NBA PREPS	VOB	629	33:07	*	0:25	17:28:00	OK	lhall
E05	LH	FONTS FOR SIX	FONTS			*	0:20	17:28:25	OK	lhall
E06	LH	TOSS BACK					0:15	17:28:45	OK	lhall

TALENT ON CAM
CAMERA =2 PLSMA MS# 943

((TALENT))

WE'VE ALL BEEN WARNED TO EXPECT ANOTHER ABOVE AVERAGE HURRICANE SEASON . . . AND IT MAY BE THIS WAY FOR ANOTHER TWENTY YEARS OR SO, ACCORDING TO EXPERTS.

TAKE VO

((VO))

BUT DON'T BLAME GLOBAL WARMING . . . SAY SOME OF THE NATION'S FOREMOST HURRICANE PREDICTORS.

DOCTOR WILLIAM GRAY, THE FAMED COLORADO STATE UNIVERSITY HURRICANE PREDICTOR . . . SAYS THE EARTH'S NATURAL CYCLES ARE TO BLAME FOR THE INCREASE IN ACTIVITY.

TAKE SOT
RUNS=:16
OUTCUE =NATURE SOMETIMES WORKS.

((SOT))

SINCE IT CHANGED, THERE'S BEEN A LOT OF PEOPLE SAYING THE GLOBE IS WARMING. THIS IS THE CAUSE OF THE LAST TWO YEARS STORMS. WE DON'T THINK SO. IT IS THE WAY NATURE SOMETIMES WORKS.

CG 2 LINE DR WILLIAM GRAY
COLORADO STATE UNIVERSITY

VO CONTINUES

((VO CONTINUE))

GRAY SAYS THERE IS AN 81 PERCENT CHANCE THAT A MAJOR HURRICANE WILL STRIKE THE U-S THIS YEAR. . .

WIPE FULL GFX NEXT

1 W TOK-TV 5 p.m.

2

3 Wade: Well, we've all been warned to expect
4 another above-average hurricane season, and it
5 may be this way for another 20 years or so,
6 according to experts. But don't blame global
7 warming, say some of the nation's foremost
8 hurricane predictors. Doctor William Gray,
9 the famed Colorado State University hurricane
10 predictor says the earth's natural climate
11 cycles are to blame for the increase in
12 activity.

13

14 William Gray: Since it's changed, there's been
15 a lot of people saying, "Ahh, the globe is
16 warming. This is the cause of these last two
17 years' storms." Well, we don't think that's
18 the case. This is the way nature sometimes
19 works.

20

21 Wade: Gray says there is an 81 percent chance
22 that a major hurricane will strike the U.S.
23 this year. Here are some of Gray's other
24 predictions for this year. He says there will
25 be 12 named storms, 9 hurricanes, and 5 major
26 hurricanes. There's a - That's a more active
27 than usual season, but it's below the record
28 season that happened a year ago when there
29 were 28 named storms last year, 15 hurricanes,

1 and 7 major hurricanes. And Charles Daniel
2 joins us now. Charles, we ran out of names
3 for hurricanes last year.

4

5 Charles: We sure did. We started using the
6 Greek alphabet -- Alpha, Beta, Gamma. And it
7 went all the way to zeta.

8

9 Wade: I hope we don't get there.

10

11 Charles: I hope we don't either. But the
12 good news is hurricane season starts, but
13 we've got a little bit more time to prepare
14 because usually in June it's a very quiet
15 time. However, last year, we saw three of the
16 first four named storms. And then we take
17 that sharp increase in August. First storm
18 this year will be Alberto. We'll have to see
19 where Al forms and where he goes. And it's
20 been a hot day today. We'll see how hot.
21 We'll talk about that and a look at the 7-day
22 forecast coming up here in just a minute.

23

EXHIBIT D

[WTOK]ARCHIVE.2006.JUN SLUG 3

5/2/2007 9:31:57, USER Wade Phillips

9:17:28 under

PAGE	TAL	SLUG	FORMAT	TAPE #	TIMECODE	GRAPHICS	TIME	BACKTIME	CG	EP
E10	HC	FISH AND GAME	VO	F&G	00:01:47	*	0:15	22:30:35	OK	hcook
E11		TOSS BACK					0:10	22:30:50	OK	tdaniels
E12	TD	TEASE FOUR	READER				0:15	22:31:00	OK	tdaniels
F		BREAK 5					2:35	22:31:15	OK	tdaniels
F01	CD	WEATHER RECAP					0:30	22:33:50	OK	tdaniels
F02	ALL	SHOW CLOSE	READER				0:40	22:34:20	OK	tdaniels
G		END OF SHOW					0:00	22:35:00	OK	
							0:00	17:58:55	OK	
							0:00	17:58:55	OK	
							0:00	17:58:55	OK	
		DATE 5-31-06					0:00	17:58:55	OK	
01	J/T	PRE-SHOW TEASE	SOT				0:25	17:58:55	OK	tdaniels
A		BREAK 1					0:35	17:58:55	OK	tdaniels
A01	TD	COLD OPEN	SOT	COLD	OPEN		0:15	17:59:05	OK	tdaniels
A02	JJ	PARTNERSHIP CONTROVER	PKG	1387	00:17:33	RB# 670	1:45	17:59:20	OK	tdaniels
A03	TD	BIRMINGHAM KIDNAP	VO	1380	00:36:17		0:20	18:01:05	OK	tdaniels
A04	JJ	DITCH PROBLEMS	PKG	1368	00:56:28	RB# 669	2:50	18:01:25	OK	tdaniels
A05	TD	GRAY/HURRICANES	VOB	1391	00:06:16		0:45	18:04:15	OK	tdaniels
A06	JJ	HURRICANES-GAS PRICES	PKG	1392	00:03:57	RB# 674	1:50	18:05:00	OK	tdaniels
A07		TOSS TO 1ST WEATHER					0:10	18:06:50	OK	tdaniels
A08	CD	FIRST WEATHER					0:30	18:07:00	OK	tdaniels
A09		TOSS BACK					0:10	18:07:30	OK	tdaniels
A10	J/T	FUNERAL-BRACKEEN	PKG	1379	00:29:59	MS# 637	1:55	18:07:40	OK	
A11	J/T	TEASE ONE	VO	TSE1			0:15	18:09:35	OK	tdaniels
B		BREAK 2					2:35	18:09:50	OK	tdaniels
B01	CD	WEATHER					3:00	18:12:25	OK	tdaniels
B02		TOSS BACK					0:15	18:15:25	OK	tdaniels
B03	T/J	NEW JEAN'S OWNERSHIP	VOB	1358	01:05:44	MS# 671	0:40	18:15:40	OK	tdaniels
B04	J/T	TEASE TWO	VO	TSE2			0:15	18:16:20	OK	tdaniels
C		BREAK 3					1:15	18:16:35	OK	tdaniels
C01	T/J	NEW YORK TRIP	VOB	1363	01:02:59		0:40	18:17:50	OK	tdaniels
C02		TOSS TO SPORTS					0:10	18:18:30	OK	tdaniels
C03	LH	SPORTS TEASE	VO				0:20	18:18:40	OK	tdaniels
D		BREAK 4					1:40	18:19:00	OK	tdaniels
D01	LH	ALABAMA BASEBALL	VO	634	19:02	BOX 500	0:25	18:20:40	OK	lhall
D02	LH	WELLS SOT	SOT	633	17:58	*	0:25	18:21:05	OK	lhall
D03	LH	BAMA REGIONALS	FONTS			*	0:10	18:21:30	OK	lhall
D04	LH	SPORTS POLL	FONTS			*	0:25	18:21:40	OK	lhall
D05	LH	ROGER CLEMENS	VO	632	20:34	*	0:20	18:22:05	OK	lhall
D06	LH	SOFTBALL FONTS	FONTS			*	0:15	18:22:25	OK	lhall
D07	LH	MHS HOOPS CAMP	VO	631	33:23	*	0:20	18:22:40	OK	lhall
D08	LH	HOOPS SOT'S	SOT	630	20:13	*	0:40	18:23:00	OK	lhall
D09	LH	BASKETBALL FONTS	FONTS			*	0:20	18:23:40	OK	lhall
D10	LH	COLLEGE HOOPS	READER			BOX 560	0:15	18:24:00	OK	lhall
D11	LH	NBA PREPS	VOB	629	33:07	*	0:25	18:24:15	OK	lhall
D12	LH	TITANS/MCNAIR	VO	624	10:56	BOX 735	0:25	18:24:40	OK	lhall
D13	LH	FISH AND GAME	VO	F/G		*	0:10	18:25:05	OK	lhall
D14		TOSS BACK					0:10	18:25:15	OK	tdaniels
D15	J/T	TEASE FOUR	VO	TSE4			0:15	18:25:25	OK	tdaniels

TALENT ON CAM
CAMERA =

((TOM))
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WE DON'T THINK SO. IT IS THE WAY NATURE
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CG 2LINE DR. WILLIAM GRAY
COLORADO STATE UNIVERSITY

((VO CONTINUE))

VO CONTINUES

GRAY MAKES PREDICTIONS FOR THE
UPCOMING HURRICANE SEASON EVERY YEAR
BEFORE IT STARTS . . .

1 WTOK-TV 6 p.m.

2

3 Tom: We have been warned to expect another
4 above-average hurricane season this year. And
5 it may be this way for another 20 years or so,
6 according to the experts. But don't blame
7 global warming, say some of the nation's
8 foremost hurricane predictors. Doctor William
9 Gray, the famed Colorado State University
10 hurricane predictor says the earth's natural
11 cycles are to blame for the increase in
12 activity.

13

14 William Gray: Since it's changed, there's been
15 a lot of people saying, "Ahh, the globe is
16 warming. This is the cause of these last two
17 years' storms." Well, we don't think that's
18 the case. This is the way nature sometimes
19 works.

20

21 Tom: Gray makes predictions for the upcoming
22 hurricane season every year before it starts.

23

EXHIBIT D

[WTOK]ARCHIVE.2006.JUN SLUG 1

5/2/2007 9:31:57, USER Wade Phillips

9:17:28 under

PAGE	TAL	SLUG	FORMAT	TAPE #	TIMECODE	GRAPHICS	TIME	BACKTIME	CG	EP
D04		CLOSE 1ST HALF					0:30	6:27:30	OK	
E		BREAK 4					2:00	6:28:00	OK	
E01		END OF 1ST HALF					0:00	6:30:00	OK	
							0:00	21:57:38	OK	
		GMMSPORTS					0:00	21:57:38	OK	
		DATE					0:00	21:57:38	OK	
		START OF SHOW					0:00	21:57:38	OK	
E01	HC	DODGERS / BRAVES	R/VO	633	00:18:39	BOX 619	0:45	21:57:38	OK	
E04	HC	WILDCAT BASKETBALL CA	VO	631	00:33:23	*	0:20	21:58:23	OK	hcook
E05		WILDCAT CAMP SOT	SOT	630	00:29:12	*	0:40	21:58:43	OK	hcook
E10	HC	FISH AND GAME	VO	F&G	00:01:47	*	0:15	21:59:23	OK	hcook
		10PM					0:00	21:59:38	OK	
		DATE 5-31-06					0:00	21:59:38	OK	
01	TD	TEN TEASE	READER				0:12	21:59:38	OK	tdaniels
02	TD	TEN SQUEEZE	READER				0:05	21:59:50	OK	tdaniels
A		OPEN BREAK					0:25	21:59:55	OK	tdaniels
A01	TD	COLD OPEN	VO	COLD	OPEN		0:10	21:59:20	OK	tdaniels
A02	TD	AD SCAMS	PKG	1389	00:05:40	MS# 678	1:50	21:59:30	OK	tdaniels
A03	TD	KILLEN HEARING DATE	VO	1371	00:47:18		0:20	22:01:20	OK	tdaniels
A04	TD	PARTNERSHIP CONTROVE	PKG	1387	00:17:33	MS# 666	1:45	22:01:40	OK	tdaniels
A05	TD	GRAY/HURRICANES	VOB	1391	00:06:16		0:45	22:03:25	OK	tdaniels
A06	TD	HURRICANES-GAS PRICES	PKG	1392	00:03:57	MS# 657	1:50	22:04:10	OK	tdaniels
A07		TOSS TO 1ST WEATHER					0:15	22:06:00	OK	tdaniels
A08	CD	1ST WEATHER					0:30	22:06:15	OK	tdaniels
A09		TOSS BACK					0:10	22:06:45	OK	tdaniels
A10	TD	DITCH PROBLEMS	PKG	1368	00:56:28	MS# 676	2:50	22:06:55	OK	tdaniels
A11	TD	TEASE ONE	VO	TSE1			0:15	22:09:45	OK	tdaniels
B		BREAK 1					2:10	22:10:00	OK	tdaniels
B01	CD	WEATHER					3:00	22:12:10	OK	tdaniels
B02		TOSS BACK					0:15	22:15:10	OK	tdaniels
B03	TD	JEAN'S NEW OWNER	PKG	1386	00:14:53	MS# 671	1:45	22:15:25	OK	tdaniels
B04	TD	DELTA-PILOTS AGREE	VO	1369	00:39:07		0:25	22:17:10	OK	tdaniels
B05	TD	TEASE TWO	VO	TSE2			0:15	22:17:35	OK	tdaniels
C		BREAK 2					2:00	22:17:50	OK	tdaniels
C01	TD	HEALTHWATCH	PKG	1376	00:30:52		1:30	22:19:50	OK	tdaniels
D		BREAK 3					1:35	22:21:20	OK	tdaniels
D01	TD	IRAQ-UPDATE	PKG	1374	00:29:03	MS# 820	1:50	22:22:55	OK	tdaniels
D02		TOSS TO SPORTS					0:10	22:24:45	OK	tdaniels
D03	HC	SPORTS TEASE	R/VO	634	00:19:25		0:15	22:24:55	OK	tdaniels
E		BREAK 4					1:40	22:25:10	OK	tdaniels
E01	HC	DODGERS / BRAVES	R/VO	633	00:18:39	BOX 619	0:45	22:26:50	OK	
E02	HC	CLEMENS BACKS TO AST	VO	632	00:20:34	*	0:25	22:27:35	OK	hcook
E03	HC	ASTROS / CARDINALS	VO	629	00:33:41	*	0:30	22:28:00	OK	hcook
E04	HC	WILDCAT BASKETBALL CA	VO	631	00:33:23	*	0:20	22:28:30	OK	hcook
E05		WILDCAT CAMP SOT	SOT	630	00:29:12	*	0:40	22:28:50	OK	hcook
E06	HC	BARNES HIRED AT OKLAH	VO	623	00:57:15	*	0:20	22:29:30	OK	hcook
E07	HC	MCNAIR RIGHT IN ARBITR	VO	624	00:10:56	*	0:20	22:29:50	OK	hcook
E08	HC	MS STATE AM PAIRINGS	GFX			*	0:25	22:30:10	OK	hcook
E09	HC	BIG CARP CAUGHT!!	VO	628	00:26:53	*	0:15			hcook

TALENT ON CAM
CAMERA =3

((TOM))
HURRICANE SEASONS FOR THE NEXT 20-YEARS
COULD BE SEVERE.

TAKE VO

((VO))
BUT DON'T BLAME GLOBAL WARMING. THE
NATION'S FOREMOST HURRICANE PREDICTORS.
DOCTOR WILLIAM GRAY, THE FAMED COLORADO
STATE UNIVERSITY HURRICANE PREDICTOR . . .
SAYS THE EARTH'S NATURAL CYCLES ARE TO
BLAME FOR THE INCREASE IN ACTIVITY.

TAKE SOT
RUNS=16
OUTCUE =NATURE SOMETIMES WORKS.

((SOT))
"SINCE IT CHANGED, THERE'S BEEN A LOT OF
PEOPLE SAYING, THE GLOBE IS WARMING, THIS IS
THE CAUSE OF THE LAST TWO YEARS STORMS.
WE DON'T THINK SO, IT IS THE WAY NATURE
SOMETIMES WORKS."

CG 2LINE DR WILLIAM GRAY
COLORADO STATE UNIVERSITY

((VO CONTINUE))

VO CONTINUES

GRAY MAKES PREDICTIONS FOR THE
UPCOMING HURRICANE SEASON EVERY YEAR
BEFORE IT STARTS . . .

1 WTOK-TV 10 p.m.

2

3 Tom: Hurricane seasons for the next 20 years
4 could be severe. Don't blame global warming.
5 One of the nation's foremost hurricane
6 predictors is Doctor William Gray, the famed
7 Colorado State University hurricane predictor.
8 He says the earth's natural cycles are to
9 blame for the increase in activity.

10

11 William Gray: Since it's changed, there's been
12 a lot of people saying, "Ahh, the globe is
13 warming. This is the cause of these last two
14 years' storms." Well, we don't think that's
15 the case. This is the way nature sometimes
16 works.

17

18 Tom: Gray makes predictions for the upcoming
19 hurricane season every year before it begins.
20 Energy...

21