

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In re Request of )  
 )  
Time-Telepictures Television )  
 )  
For Declaratory Ruling )

DECLARATORY RULING

Adopted: August 22, 2002

Released: August 26, 2002

By the Chief, Policy Division, Media Bureau:

1. This is in response to a request for declaratory ruling filed on behalf of Time-Telepictures Television (“Telepictures”) asking the Commission to declare that the program “Celebrity Justice” is a *bona fide* newscast for purposes of the exemption from the equal opportunities requirements of Section 315(a) of the Communications Act of 1934, as amended (the “Act”).<sup>1</sup>

2. Section 315(a) of the Act provides that, if a licensee allows a legally qualified candidate for public office to use a broadcast station, it must afford “equal opportunities” to all other opposing candidates for that office. Section 315(a) states, however, that appearances by legally qualified candidates on certain categories of *bona fide* news programming, including *bona fide* newscasts pursuant to Section 315(a)(1), are exempt from this equal opportunity requirement.

3. Telepictures states that the program “Celebrity Justice” satisfies the Commission’s requirements for exempt *bona fide* newscasts because it will be regularly scheduled beginning in September 2002 and will be “covering news from areas of current events, in the traditional television news magazine format,” a format the Commission has found to be consistent with the Section 315(a)(1) exemption.<sup>2</sup> Telepictures points out that the Commission ruled in 1994 that the program “Extra” was a *bona fide* newscast.<sup>3</sup> It states that “Celebrity Justice” is currently featured as a segment of each “Extra” broadcast, but that it will be spun off as its own program in September. Telepictures also states that stories for inclusion in “Celebrity Justice” will be selected by its producers based on determinations of newsworthiness, not for the purpose of advancing or harming any candidate for public office.<sup>4</sup>

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<sup>1</sup> 47 U.S.C. § 315(a).

<sup>2</sup> Request for Declaratory Ruling at 1-2. See, e.g., *Paramount Pictures Corp.*, 3 FCC Rcd 245 (MMB 1988). In deciding that the television programs Entertainment Tonight and Entertainment This Week should be accorded *bona fide* newscast status for equal opportunities purposes, the Mass Media Bureau emphasized that what constitutes a *bona fide* newscast should be predicated upon whether “these programs report about some area of current events, in a manner similar to more traditional newscasts.” *Id.* at 246.

<sup>3</sup> *TTT West Coast, Inc.*, 9 FCC Rcd 6168 (MMB 1994).

<sup>4</sup> Request for Declaratory Ruling at 3-4.

4. Based on the record before us and the representations of Telepictures' counsel, we conclude that the program "Celebrity Justice" qualifies for the *bona fide* newscast exemption under Section 315(a)(1). Accordingly, Telepictures' request for declaratory ruling that the program "Celebrity Justice" is exempt from Section 315(a) of the Act as a *bona fide* newscast **IS GRANTED**.

5. This action is taken pursuant to authority delegated by Section 0.283 of the Commission's rules.<sup>5</sup>

FEDERAL COMMUNICATIONS COMMISSION

Mary Beth Murphy  
Chief, Policy Division  
Media Bureau

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<sup>5</sup> 47 C.F.R. § 0.283.