



Federal Communications Commission
Washington, D.C. 20554

January 18, 2006

DA 06-143
Released: January 25, 2006

Mr. Thomas P. Basinger
Cable One
1314 N. Third Street
3rd Floor
Phoenix, Arizona 85004

In re: NAL/Acct. No. 06-4110-0001
FRN#0003-4743-27

Dear Mr. Basinger:

We have received your response, dated December 21, 2005, to the Notice of Apparent liability in *Nexstar Broadcasting, Inc. v. Cable One, Inc.*, DA 05-2988 (rel. Nov. 18, 2005) along with your payment of the associated \$20,000 fine for violating the Commission's network nonduplication rules.

In your response you maintain that Cable One's violation was not the result of "bad faith," but rather the result of an attempt to balance two different Commission rules -- the requirement that you provide the requested network nonduplication protection with the requirement that you simultaneously maintain the status quo pending the resolution of an associated market modification petition. Consequently, while not disputing the conclusion that a violation took place, you contend that our finding of an "egregious" violation was unwarranted.

After a review of your explanation and the facts and circumstance involved in this matter, we agree that Cable One's violation of the network nonduplication rules was not properly characterized as egregious.

Sincerely,

Donna C. Gregg
Chief, Media Bureau

cc: Seth A. Davidson, Esq.