



Federal Communications Commission  
Washington, D.C. 20554

July 28, 2006

**DA 06-1518**  
**Released: July 28, 2006**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

WITI License, Inc.  
WITI(TV)  
c/o Molly Pauker, Esq.  
5151 Wisconsin Avenue, N.W.  
Washington, D.C. 20016

Re: WITI License, Inc.  
WITI(TV), Milwaukee, WI  
Facility ID No. 73107  
File No. BRCT-20050729DRL

Dear Licensee:

This refers to your license renewal application for station WITI(TV), Milwaukee, WI.

In the Children's Television Act of 1990, Pub. L. No. 101-437, 104 Stat. 996-1000, *codified at* 47 U.S.C. Sections 303a, 303b and 394, Congress directed the Commission to adopt rules, *inter alia*, limiting the number of minutes of commercial matter that television stations may air during children's programming, and to consider in its review of television license renewals the extent to which the licensee has complied with such commercial limits. Pursuant to this statutory mandate, the Commission adopted Section 73.670 of the Rules, 47 C.F.R. § 73.670, which limits the amount of commercial matter which may be aired during children's programming to 10.5 minutes per hour on weekends and 12 minutes per hour on weekdays. *Children's Television Programming*, 6 FCC Rcd 2111, 2118, *recon. granted in part*, 6 FCC Rcd 5093, 5098 (1991). The commercial limitations became effective on January 1, 1992. *Children's Television Programming*, 6 FCC Rcd 5529, 5530 (1991).

On July 29, 2005, you filed the above-referenced license renewal application for station WITI(TV). In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WITI(TV) failed to comply with the limitations on commercial matter in children's programming specified in Section 73.670 of the Commission's Rules. In Exhibit 19, you indicate that station WITI(TV) exceeded the children's television commercial limits on three occasions between March 23, 1998, and December 27, 1999. Of those three overages, one was five seconds in duration, one was ten seconds in duration, and one was 25 seconds in duration. You attribute the overages to human error and inadvertence.

It appears from the information before us that the overages in question were isolated violations of the children's television commercial limits. Such *de minimis* violations of Section 73.670 of the Commission's Rules does not warrant further consideration in connection with WITI(TV)'s renewal application.

Accordingly, IT IS ORDERED that, a copy of this Letter shall be sent by First Class and Certified Mail, Return Receipt Requested, to Molly Pauker, Esquire, WITI License, Inc. at the address listed above, and to John C. Quale, Esquire, Skadden, Arps, Slate, Meagher & Flom LLP, 1440 New York Avenue, N.W., Washington, D.C. 20005.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau