



Federal Communications Commission  
Washington, D.C. 20554

March 8, 2006

DA 06-540

Released: March 8, 2006

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

C-34 FCC Licensee Subsidiary, LLC  
WTVX(TV)  
2000 K Street, N.W.  
Suite 725  
Washington, D.C. 20006

Re: C-34 FCC Licensee Subsidiary, LLC  
WTVX(TV), Fort Pierce, FL  
Facility ID No. 35575  
File No. BRCT-20041001AWR

Dear Licensee:

This refers to your license renewal application for station WTVX(TV), Fort Pierce, FL.

Section 73.3526 of the Commission's Rules (Rules) requires broadcast licensees to maintain a public inspection file containing specific types of information related to station operations.<sup>1</sup> Section 73.3526(e)(11)(i) of the Rules provides that a TV issues/programs list is to be placed in a commercial TV broadcast station's public inspection file for each calendar quarter by the tenth day of the succeeding calendar quarter. Where lapses occur in maintaining the public file, neither the negligent acts nor omissions of station employees or agents, nor the subsequent remedial actions undertaken by the licensee, excuse or nullify a licensee's rule violation.<sup>2</sup>

On October 1, 2004, you filed a license renewal application (FCC Form 303-S) for station WTVX(TV) (File No. BRCT-20041001AWR). In response to Section IV, Question 3 of that application, you certify that, during the previous license term, station WTVX(TV) failed to place in its public inspection file at the appropriate times, all of the documentation required by Section 73.3526 of the Commission's Rules. In Exhibit 17 to station WTVX(TV)'s renewal application, you indicate that a recent review of the station's public inspection file revealed that the TV

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<sup>1</sup> See 47 C.F.R. § 73.3526.

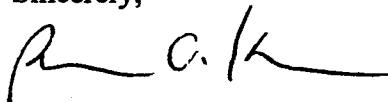
<sup>2</sup> See *Padre Serra Communications, Inc.*, 14 FCC Rcd 9709 (1999) (citing *Gaffney Broadcasting, Inc.*, 23 FCC 2d 912, 913 (1970) and *Eleven Ten Broadcasting Corp.*, 33 FCC 706 (1962)); *Surrey Range Limited Partnership*, 71 RR 2d 882 (FOB 1992).

issues/programs list for the first quarter of 2002 was missing.<sup>3</sup> You claim that a copy of this document has been retrieved and placed into the public file.

Based upon the record before us, the violation described in your renewal application appears to have been an isolated occurrence. Although we do not rule out more severe sanctions for violations of this nature in the future, we have determined that an admonition is appropriate at this time. Therefore, based upon the facts and circumstances before us, we ADMONISH you for the admitted violation of Section 73.3526(e)(11)(i) of the Rules described in station WTVX(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 the licensee at the address listed above.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. A. Kreisman', with a stylized flourish at the end.

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

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<sup>3</sup> On November 13, 2001, the Commission granted an application to transfer control of C-34 FCC Licensee Subsidiary, LLC, (C-34 FCC Licensee) the licensee of station WTVX(TV), from T.V. Finance, LLC, to CBS Broadcasting Inc. (BTCCT-20010924AAP). That transfer of control transaction was consummated on November 27, 2001.