



Federal Communications Commission
Washington, D.C. 20554

March 8, 2006

DA 06-541

Released: March 8, 2006

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Post-Newsweek Stations, Florida, Inc.
WPLG(TV)
WPLG
3900 Biscayne Boulevard
Miami, FL 33137

Re: Post-Newsweek Stations, Florida, Inc.
WPLG(TV), Miami, FL
Facility ID No. 53113
File No. BRCT-20040928AKH

Dear Licensee:

This refers to your license renewal application for station WPLG(TV), Miami, FL.

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 September 28, 2004, you filed the above-referenced license renewal application for station WPLG(TV). In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WPLG(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 to the renewal application, you indicate that station WPLG(TV) exceeded the children's television commercial limits by 15 seconds on Saturday, May 4, 2002. You attribute the violation to human error and maintain that station WPLG(TV) has taken corrective actions to prevent further overages.

It appears from the information before us that the overage in question was an isolated and inadvertent violation of the children's television commercial limits. Such *de minimis* violation of Section 73.670 of the Commission's Rules does not warrant further consideration in connection with WPLG(TV)'s renewal application which remains pending at this time.

Accordingly, IT IS ORDERED that, a copy of this Letter shall be sent by First Class and Certified Mail, Return Receipt Requested to Post-Newsweek Stations, Florida, Inc. at the address listed above, and to its counsel, William H. Fitz, Esquire, Covington & Burling, 1201 Pennsylvania Avenue, N.W., Washington, D.C. 20004-2401.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau