



Federal Communications Commission  
Washington, D.C. 20554

March 8, 2006

**DA 06-542**

**Released: March 8, 2006**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Pacific and Southern Company, Inc.  
WTSP(TV)  
c/o David P. Fleming, Esquire  
Gannett Co., Inc.  
7950 Jones Branch Drive  
McLean, VA 22107

Re: Pacific and Southern Company, Inc.  
WTSP(TV), St. Petersburg, FL  
Facility ID No. 11290  
File No. BRCT-20041001AEX

Dear Licensee:

This refers to your license renewal application for station WTSP(TV), St. Petersburg, 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 October 1, 2004, you filed the above-referenced license renewal application for station WTSP(TV). In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WTSP(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 state that station WTSP(TV) exceeded the children's television commercial limits by 30 seconds on September 13, 1997. You attribute the violation to inadvertence.

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 WTSP(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 the licensee at the address listed above and to David P. Fleming, Esq., Gannett Co., Inc., 7950 Jones Branch Drive, McLean, VA 22107.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau