



Federal Communications Commission  
Washington, D.C. 20554

March 10, 2006

**DA 06-558**

**Released: March 10, 2006**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

TV Alabama, Incorporated  
WJSU-TV  
800 Concourse Parkway  
Suite 200  
Birmingham, Alabama 35244

Re: TV Alabama, Incorporated  
WJSU-TV, Anniston, Alabama  
Facility ID No. 56642  
File No. BRCT-20041129AGZ

Dear Licensee:

This letter refers to your license renewal application for station WJSU-TV, Anniston, Alabama.

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 November 29, 2004, you filed the above-referenced license renewal application for station WJSU-TV. In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WJSU-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 WJSU-TV exceeded the children's television commercial limits by 30 seconds on July 4, 1998, and by 15 seconds on July 18, 1998. You assert that each overage was caused by a last-minute, emergency scheduling change.

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 do not warrant further consideration in connection with WJSU-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 TV Alabama, Incorporated at the address listed above, and to its counsel, Jerald N. Fritz, Esquire, Allbritton Communications Company, 1000 Wilson Boulevard, Suite 2700, Arlington, Virginia 22209-3921.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau