



Federal Communications Commission  
Washington, D.C. 20554

March 15, 2006

**DA 06-582**

**Released: March 15, 2006**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Gray Television Licensee, Inc.  
Station WBKO(TV)  
1750 K Street, N.W.  
Suite 1200  
Washington, D.C. 20006

Re: Gray Television Licensee, Inc.  
WBKO(TV), Bowling Green, KY  
Facility ID No. 4692  
File No. BRCT-20050330ACG

Dear Licensee:

This refers to your license renewal application for station WBKO(TV), Bowling Green, KY.

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 commercial 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 March 30, 2005, you filed the above-referenced license renewal application for station WBKO(TV). In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WBKO(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 WBKO(TV) exceeded the children's television commercial limits on five occasions between March 29, 2003 and September 26, 2004. Of those five overages, two were four seconds, one was eight seconds, and two were 55 seconds. You attribute the overages to human error and/or 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 do not warrant further consideration in connection with WBKO(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 Gray Television Licensee, Inc. at the address listed above and to its counsel, Rosemary C. Harold, Esq., Wiley Rein & Fielding LLP, 1776 K Street, N.W., Washington, D.C. 20006.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau