



Federal Communications Commission
Washington, D.C. 20554

March 15, 2006

DA 06-583

Released: March 15, 2006

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

WDAM License Subsidiary, Inc.
Station WDAM-TV
RSA Tower, 20th Floor
201 Monroe Avenue
Montgomery, AL 36104

Re: WDAM License Subsidiary, Inc.
WDAM-TV, Laurel, MS
Facility ID No. 21250
File No. BRCT-20050128ABS

Dear Licensee:

This letter refers to your license renewal application for station WDAM-TV, Laurel, MS.

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 January 28, 2005, you filed the above-referenced license renewal application for station WDAM-TV. In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WDAM-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 WDAM-TV exceeded the children's television commercial limits by 40 seconds on May 23, 1998. You attribute the overage to human error, and describe the steps taken to prevent similar violations from occurring in the future.

It appears from the information before us that the overage in question was an isolated 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 WDAM-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 Jim Cameron, Vice President & General Manager, WDAM License Subsidiary, 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