



Federal Communications Commission
Washington, D.C. 20554

April 9, 2007

DA 07-1655
Released: April 9, 2007

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

McGraw-Hill Broadcasting Company, Inc.
KGTV(TV)
P.O. Box 85347
San Diego, CA 92186

Re: McGraw-Hill Broadcasting Company, Inc.
KGTV(TV), San Diego, CA
Facility ID No. 40876
File No. BRCT-20060731AFX

Dear Licensee:

This refers to your license renewal application for station KGTV(TV), San Diego, CA.

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).

On July 31, 2006, you filed the above-referenced license renewal application for station KGTV(TV). In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station KGTV(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, you indicate that station KGTV(TV) exceeded the children's television commercial limits on three occasions between February 12, 2005, and March 20, 2005. Of those overages, two were 15-seconds in duration and one was one minute in duration. You attribute the overages to inadvertence and describe corrective actions take to prevent future violations.

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 KGTV(TV)'s renewal application.

Accordingly, IT IS ORDERED that, a copy of this Letter shall be sent by First Class and Certified Mail, Return Receipt Requested, to McGraw-Hill Broadcasting Company, Inc. at the address listed above, and to Kevin P. Latek, Esquire, Dow Lohnes PLLC, 1200 New Hampshire Avenue, N.W., Suite 800, Washington, D.C. 20036.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau