



Federal Communications Commission
Washington, D.C. 20554

July 6, 2007

DA 07-3043

Released: July 6, 2007

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Post-Newsweek Stations, Michigan, Inc.
WDIV-TV
550 West Lafayette Boulevard
Detroit, MI 48226-3140

Re: Post-Newsweek Stations, Michigan, Inc.
WDIV-TV, Detroit, MI
Facility ID No. 53114
File No. BRCT-20050527BDI

Dear Licensee:

This letter refers to your license renewal application for station WDIV-TV, Detroit, MI.

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 May 27, 2005, you filed the above-referenced license renewal application for station WDIV-TV. In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WDIV-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 state that station WDIV-TV exceeded the children's television commercial limits by four seconds on December 14, 2002.

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 WDIV-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 the licensee 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