



Federal Communications Commission  
Washington, D.C. 20554

August 31, 2007

**DA 07-3763**

**Released: August 31, 2007**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Paxson Buffalo License, Inc.  
WPXJ-TV  
601 Clearwater Park Road  
West Palm Beach, FL 33401-6233

Re: Paxson Buffalo License, Inc.  
WPXJ-TV, Batavia, NY  
Facility ID No. 2325  
File No. BRCT-20070201BJT

Dear Licensee:

This refers to your license renewal application for station WPXJ-TV, Batavia, NY.

Under the Commission's rules implementing the Children's Television Act of 1990 (CTA),<sup>1</sup> each television broadcast station licensee has an obligation, during its license term, to air programming that serves the educational and informational needs of children through both the licensee's overall programming and programming "specifically designed" to educate and inform children (core programming).<sup>2</sup> In *Policies and Rules Concerning the Children's Television Programming, Revision of Programming Policies for Television Broadcast Stations*,<sup>3</sup> the Commission adopted several public information initiatives to improve the information to the public regarding programming broadcasters air to fulfill their statutory obligation. One of the public information initiatives requires licensees to provide to publishers of program guides, information identifying programming specifically designed to educate and inform children, including an indication of the age group for which the program is intended.<sup>4</sup> In the *Children's Television Programming Order*, the Commission stated its belief that "program guides are an effective means of providing parents with advance notice of scheduling of educational programs."<sup>5</sup> Moreover, the Commission indicated that this information would help parents to find appropriate programs for their children and others who want to monitor a station's

---

<sup>1</sup> Pub. L. No. 101-437, 104 Stat. 996-1000, codified at 47 U.S.C. Sections 303a, 303b and 394.

<sup>2</sup> 47 C.F.R. § 73.671(a).

<sup>3</sup> 11 FCC Rcd 10660 (1996) (*Children's Television Programming Order*).

<sup>4</sup> 47 C.F.R. § 73.673.

<sup>5</sup> *Children's Television Programming Order*, 11 FCC Rcd at 10689.

compliance with the CTA.<sup>6</sup> The Commission acknowledged, however, that broadcasters cannot require program guide publishers to print this information.<sup>7</sup> Nonetheless, the Commission concluded that the information is more likely to be included in program listings if broadcasters regularly provide it.

On February 1, 2007, you filed the above-referenced license renewal application for station WPXJ-TV (File No. BRCT-20070201BJT). In Exhibit 23 to that application, you stated that a review of internal records revealed that program guide publishers had not been receiving each program's target age-range on WPXJ-TV's core programming schedule you provided to them. You indicated that although program guide publishers usually do not publish such information, you have revised your procedures and now include such data in your submissions to publishers of program guides.

Based upon the record before us, we think that an admonition is warranted for the station's failure to identify for publishers of program guides the age group for which its children's programming is targeted. Although we do not rule out more severe sanctions for violations of this nature in the future, we have determined that an admonition is appropriate at this time. Therefore, based upon the facts and circumstances before us, we ADMONISH you for the admitted violation of Section 73.673 described in station WPXJ-TV's renewal application.

Accordingly, IT IS FURTHER ORDERED that, a copy of this Letter shall be sent by First Class and Certified Mail, Return Receipt Requested to Paxson Buffalo License, Inc. at the address listed above, and to its counsel, Anne M. Swanson, Esquire, Dow, Lohnes & Albertson, PLLC, 1200 New Hampshire Avenue, N.W., Suite 800, Washington, D.C. 20036.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

---

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*