



Federal Communications Commission  
Washington, D.C. 20554

November 2, 2007

**DA 07-4473**

**Released: November 2, 2007**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

WTAE Hearst-Argyle Television, Inc.  
WTAE-TV  
c/o Brooks, Pierce, et al.  
P.O. Box 1800  
Raleigh, NC 27602

Re: WTAE Hearst-Argyle Television, Inc.  
WTAE-TV, Pittsburgh, PA  
Facility ID No. 65681  
File No. BRCT-20070330BFO

Dear Licensee:

This letter refers to your license renewal application for station WTAE-TV, Pittsburgh, PA.

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 March 30, 2007, you filed the above-referenced license renewal application for station WTAE-TV. In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WTAE-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 WTAE-TV exceeded the children's television commercial limits by one minute and six seconds on April 8, 2006. You attribute this overage to human error and describe corrective actions taken to prevent future violations.

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 WTAE-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, Mark J. Prak, Esquire, Brooks Pierce McLendon Humphrey & Leonard, LLP, P.O. Box 1800, Raleigh, NC 27602.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau