



Federal Communications Commission
Washington, D.C. 20554

April 30, 2008

DA 08-1017

Released: April 30, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Journal Broadcast Corporation
KMIR-TV
3355 South Valley View Boulevard
Las Vegas, NV 89102

Journal Broadcast Corporation
KMIR-TV, Palm Springs, CA
Facility ID No. 16749
File No. BRCT-20060804AFU

Dear Licensee:

This refers to your license renewal application for station KMIR-TV, Palm Springs, CA.

Section 73.3526 of the Commission's Rules (Rules) requires broadcast licensees to maintain a public inspection file containing specific types of information related to station operations.¹ As set forth in Section 73.3526(e)(11)(i) of the Rules, a TV issues/programs list is to be placed in a commercial TV broadcast station's public inspection file each calendar quarter by the tenth day of the succeeding calendar quarter. Where lapses occur in maintaining the public file, neither the negligent acts nor omissions of station employees or agents, nor the subsequent remedial actions undertaken by the licensee, excuse or nullify a licensee's rule violation.²

On August 4, 2006, you filed a license renewal application (FCC Form 303-S) for station KMIR-TV, Palm Springs, California (File No. BRCT-20060804AFU). In response to Section IV, Question 3 of that application, you certify that, during the previous license term, station KMIR-TV failed to place in its public inspection file at the appropriate times, all of the documentation required by Section 73.3526 of the Commission's Rules. In Exhibit 17, you state that in the course of preparing the instant application, it was discovered that TV issues/programs lists for the third and fourth quarters of 2001 were missing from the public inspection file. You indicate that these were subsequently placed in the public file.

¹ See 47 C.F.R. § 73.3526.

² See *Padre Serra Communications, Inc.*, 14 FCC Rcd 9709 (1999) (citing *Gaffney Broadcasting, Inc.*, 23 FCC 2d 912, 913 (1970) and *Eleven Ten Broadcasting Corp.*, 33 FCC 706 (1962)); *Surrey Range Limited Partnership*, 71 RR 2d 882 (FOB 1992).

Although we do not rule out more severe sanctions for violations of this nature in the future, based upon the record before us 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 violations of Section 73.3526(e)(11)(i) of the Rules described in station KMIR-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 Journal Broadcast Corporation at the address listed above, and to its counsel, Mace J. Rosenstein, Esquire, Covington & Burling LLP, 1201 Pennsylvania Avenue, N.W., Washington, D.C. 20004.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau