



Federal Communications Commission
Washington, D.C. 20554

May 6, 2008

DA 08-1063

Released: May 6, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mission Broadcasting, Inc.
WUTR(TV)
544 Red Rock Drive
Wadsworth, Ohio 44281

Re: Mission Broadcasting, Inc.
WUTR(TV), Utica, New York
Facility ID No. 57837
File No. BRCT-20070201BHU

Dear Licensee:

This refers to your license renewal application for station WUTR(TV), Utica, NY.

Under the Commission's rules implementing the Children's Television Act of 1990 (CTA),¹ 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).² The Commission's rules require commercial licensees to provide information to the public about the shows they air to fulfill their obligation. Section 73.3526(e)(11)(iii) of the Commission's Rules (the "Rules"), 47 C.F.R. § 73.3526(e)(11)(iii), requires each commercial television broadcast station to prepare and place in its public inspection file a Children's Television Programming Report (FCC Form 398) for each calendar quarter reflecting, *inter alia*, the efforts it has made during the quarter to serve the educational needs of children. As set forth in Section 73.3526(e)(11)(iii), licensees are also required to file the reports with the Commission and to publicize for the public the existence and location of the reports.

On February 1, 2007, you filed the above-referenced license renewal application for station WUTR(TV). In response to Section IV, Question 10, you stated that, you failed to publicize the existence and location of the Station's Children's Television Programming Reports, as set forth

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

² 47 C.F.R. § 73.671.

in Section 73.3526(e)(11)(iii) of the Rules. In Exhibit 24 and in a June 7, 2007 amendment to the renewal application, you indicated that, the existence and location of the station's Children's Television Programming Reports were publicized until September 2004 when the publication efforts were inadvertently ceased. You asserted that you have resumed periodic publication of the station's Children's Television Programming Reports.

Based on the record before us, we think that an admonition is warranted for the station's failure to publicize the existence and location of the Children's Television Programming Reports. 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 violations of Section 73.3526(e)(11)(iii) of the Rules described in station WUTR(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 Mission Broadcasting, Inc. at the address listed above, and to its counsel, Elizabeth Hammond, Esquire, Drinker Biddle & Reath LLP, 1500 K Street, N.W., Suite 1100, Washington, D.C. 20005.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau