



Federal Communications Commission  
Washington, D.C. 20554

June 11, 2008

**DA 08-1367**

**Released: June 11, 2008**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

ABC, Inc.  
WPVI-TV  
c/o John W. Zucker, Esquire  
77 West 66<sup>th</sup> Street  
16<sup>th</sup> Floor  
New York, NY 10023-6298

Re: ABC, Inc.  
WPVI-TV, Philadelphia, PA  
Facility ID No. 8616  
File No. BRCT-20070402KPO

Dear Licensee:

This letter refers to your license renewal application for station WPVI-TV, Philadelphia, 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 April 2, 2007, you filed the above-referenced license renewal application for station WPVI-TV. In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WPVI-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 WPVI-TV exceeded the children's television commercial limits by 15 seconds on September 10, 2000, and by four seconds on March 18, 2006. You attribute the overages to human error and assert that the licensee has taken corrective measures to ensure future compliance with the children's television commercial limits.

It appears from the information before us that the overages in question were *de minimis* violations of the children's television commercial limits. Such violations of Section 73.670 of the Commission's Rules do not warrant further consideration in connection with WPVI-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, John W. Zucker, Esquire, ABC, Inc., 77 West 66<sup>th</sup> Street, 16<sup>th</sup> Floor, New York, New York 10023-6298.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau