



Federal Communications Commission  
Washington, D.C. 20554

February 27, 2008

**DA 08-467**

**Released: February 27, 2008**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

WUHF Licensee, LLC  
WUHF(TV)  
c/o Pillsbury Winthrop Shaw Pittman, LLP  
2300 N Street, N.W.  
Washington, D.C. 20037-1128

Re: WUHF Licensee, LLC  
WUHF(TV), Rochester, New York  
Facility ID No. 413  
File No. BRCT-20070130AJG

Dear Licensee:

This refers to your license renewal application for station WUHF(TV), Rochester, 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> 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 January 30, 2007, you filed the above-referenced license renewal application for station WUHF(TV). In Exhibit 24 and in a June 12, 2007 amendment to the renewal application, you

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<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.

indicated that you determined during an audit in May 2007 that you did not publicize the existence and location of the station's Children's Television Programming Reports from September 1, 2005 until the middle of May 2007. You claimed that the station employee who became responsible for the Children's Television Programming Reports in September 2005 was unaware of the requirement to publicize the existence and location of the reports. You also indicated that prior to the middle of May 2007, the station's management was unaware that this lapse had occurred. You asserted that once this deficiency was discovered, steps were immediately taken to publicize the existence and location of the 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 WUHF(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, Kathryn Schmeltzer, Esquire, Pillsbury Winthrop Shaw Pittman, LLP, 2300 N Street, N.W., Washington, D.C. 20037-1128.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau