



Federal Communications Commission
Washington, D.C. 20554

February 27, 2008

DA 08-468

Released: February 27, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

WPXI, Inc.
WJAC-TV
49 Old Hickory Lane
Johnstown, PA 15905

Re: WPXI, Inc.
WJAC-TV, Johnstown, PA
Facility ID No. 73120
File No. BRCT-20070402CSR

This refers to your license renewal application for station WJAC-TV, Johnstown, 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 WJAC-TV. In response to Section IV, Question 5 of that application, you certify that, during the previous license term, station WJAC-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 WJAC-TV exceeded the children's television commercial limits by 15 seconds on June 19, 2004.

It appears from the information before us that the overage in question was a *de minimis* violation of the children's television commercial limits. Such violation of Section 73.670 of the Commission's Rules does not warrant further consideration in connection with WJAC-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, Kevin F. Reed, Esquire, Dow Lohnes, PLLC, 1200 New Hampshire Avenue, N.W., Suite 800, Washington, D.C. 20036.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau