



Federal Communications Commission
Washington, D.C. 20554

March 12, 2008

DA 08-553

Released: March 12, 2008

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

WNAC, LLC
WNAC-TV
34 Main Street
Wenham, MA 01984

WNAC, LLC
WNAC-TV, Providence, RI
Facility ID No. 73311
File No. BRCT-20061130AML

Dear Licensee:

This refers to your license renewal application for station WNAC-TV, Providence, RI.

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 November 30, 2006, you filed a license renewal application (FCC Form 303-S) for station WNAC-TV, Providence, Rhode Island (File No. BRCT-20061130AML). In response to Section IV, Question 3 of that application, you certify that, during the previous license term, station WNAC-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 during an audit of station WNAC-TV's public inspection file in connection with preparation of the instant license renewal application, it was discovered that the TV issues/programs list for the third quarter of 2002 was missing. You claimed that upon discovery of this deficiency, a

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).

copy of the TV issues/programs list for the third quarter of 2002 was immediately moved from a non-public file at the station and placed in the public inspection file.

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 violation of Section 73.3526(e)(11)(i) of the Rules described in station WNAC-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 WNAC, LLC at the address listed above, and to its counsel, M. Anne Swanson, 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