

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
TTI, Inc.	)	Facility I.D. No. 30283
Licensee of Station WJMY-CA	)	NAL/Acct. No.: 201341420013
Demopolis, Alabama	)	FRN: 0005016720

**ORDER**

**Adopted: July 30, 2013**

**Released: July 31, 2013**

By the Chief, Video Division, Media Bureau:

**I. INTRODUCTION:**

1. The Video Division issued a Notice of Apparent Liability for Forfeiture (“NAL”) to TTI, Inc. (“Licensee”) based on its apparent violation of Section 73.3526(e)(11)(iii) of the Rules by failing to file timely with the Commission the Children’s Television Programming Reports for Station WJMY-CA.<sup>1</sup> Based upon our review of the Licensee’s response and the facts and circumstances surrounding it, we hereby rescind the NAL and cancel the proposed forfeiture.

**II. BACKGROUND:**

2. The NAL proposed a forfeiture of \$3,000 based on the Licensee’s failure to file its Children’s Television Programming Reports in a timely manner during seven quarters of the license period.<sup>2</sup> The NAL noted that four of the reports were filed within five days after the quarterly deadline and that we would be inclined to dismiss those late filings as de minimis absent the additional late filings. Commission records showed that three of the reports were filed more than 30 days after the filing deadline.<sup>3</sup>

3. Licensee filed a timely response on June 11, 2013.<sup>4</sup> In that response, the Licensee stated that two of the three reports in question were filed on or close to the filing deadline but appeared to be late due to the Licensee’s misdating of one of the reports. That misdating of the report caused the filing system to read the reports as untimely. The Licensee stated that it became aware of the filing problem and attached a note of correction to the re-filed report.<sup>5</sup> The Licensee attached copies of the reports in support of its contentions.

**III. DISCUSSION**

4. The Licensee’s showing demonstrates that two of three reports that appeared to be filed more

<sup>1</sup> *TTI, Inc.*, Notice of Apparent Liability for Forfeiture, 28 FCC Rcd 7444 (Vid. Div. 2013).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* at 7444 n.4.

<sup>4</sup> Licensee Response to Notice of Apparent Liability (“Licensee Response”) (Jun. 11, 2013).

<sup>5</sup> *Id.* at 2-3.

than 30 days late were in fact filed on or close to the filing deadline.<sup>6</sup> Based on the Licensee's showing, we believe the remaining late filings are de minimis in nature and the proposed NAL should be rescinded and the forfeiture cancelled.

#### IV. ORDERING CLAUSES

5. Accordingly, IT IS ORDERED that the Notice of Apparent Liability for Forfeiture issued to TTI, Inc. is hereby RESCINDED and the proposed \$3,000 forfeiture is CANCELLED.

6. IT IS FURTHER ORDERED that copies of this *Order* shall be sent, by First Class and Certified Mail, Return Receipt Requested, to TTI, Inc., Post Office Box 70937, 5455 Jug Factory Road, Tuscaloosa, Alabama, 35407, and to its counsel, M. Scott Johnson, Esq., Fletcher, Heald & Hildreth, P.L.C., 1300 N. 17<sup>th</sup> Street, 11<sup>th</sup> Floor, Arlington, Virginia, 22209.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

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<sup>6</sup> The third untimely report was for the first quarter of 2007. System problems prevented many licensees from making timely filings that quarter, and we have therefore decided to remove that quarter from our review of licensee compliance with Children's Television Programming report filing deadlines.