



Federal Communications Commission
Washington, D.C. 20554

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DA 14-1027

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In re: WNWO Licensee, LLC v. Buckeye Cablevision, Inc.
MB Docket No. 13-317
CSR-8866-N

Buckeye Cablevision, Inc. v. Sinclair Broadcast Group, Inc.
MB Docket No. 14-33
CSR-8874-C

Dear Messrs. Basile, Rademacher, Harrington, and Cicelski:

By this letter and pursuant to a joint request from the parties, we dismiss the complaints initiating the two above-referenced proceedings and terminate these proceedings.

On December 18, 2013, the Commission received a complaint from WNWO Licensee, LLC,¹ licensee of commercial television station WNWO-TV, Toledo, Ohio (“WNWO”) alleging that Buckeye Cablevision, Inc. (“Buckeye”), failed to provide WNWO with the network nonduplication protection to which it is entitled in violation of Section 76.92(a) of the Commission’s rules.² On February 18, 2014, Buckeye filed a retransmission consent complaint

¹ WNWO Licensee LLC is ultimately controlled by Sinclair Broadcast Group, Inc. (“Sinclair”).

² Complaint Seeking Forfeiture Order for Violation of the Commission’s Rules, MB Docket No. 13-317, CSR-8866-N, filed Dec. 18, 2013 (“WNWO Complaint”). The parties subsequently exchanged responsive pleadings. *See* Answer of Buckeye Cablevision, Inc., to WNWO Complaint, MB Docket No. 13-317, CSR-8866-N, filed Jan. 7, 2014; Reply of WNWO Licensee, LLC, to Buckeye Answer, MB Docket No. 13-317, CSR-8866-N, filed Jan. 24, 2014.

against Sinclair for allegedly breaching its duty to negotiate in good faith a renewal of Buckeye's right to retransmit WNWO's signal in the Toledo market after those rights expired on December 15, 2013.³

These two complaints arose from an ongoing retransmission consent dispute between Buckeye and Sinclair. In a letter dated July 15, 2014, Buckeye and Sinclair jointly informed the Commission that the parties have "entered into an agreement resolving the disputes that gave rise to the above-referenced complaint proceedings."⁴ Accordingly, Buckeye and Sinclair jointly request that the Commission dismiss the complaints with prejudice and terminate both proceedings.⁵

On the basis of the statements contained in the Joint Letter, we are satisfied that dismissing the complaints will serve the public interest by promoting the private resolution of disputes and by eliminating the need for further litigation and the expenditure of further time and resources of the parties and this Commission.

Accordingly, IT IS ORDERED, that the joint request to withdraw the complaints in the above-referenced proceedings IS GRANTED. IT IS FURTHER ORDERED that the complaints in the above-referenced proceedings ARE DISMISSED WITH PREJUDICE and that the above-referenced proceedings ARE TERMINATED. This action is taken under delegated authority pursuant to Section 0.283 of the Commission's rules.⁶

Sincerely,

Mary Beth Murphy
Chief, Policy Division
Media Bureau

³ Complaint of Buckeye Cablevision, Inc., MB Docket No. 14-33, CSR-8874-C, filed Feb. 18, 2014 ("Buckeye Complaint"). The parties subsequently exchanged responsive pleadings. See Answer of Sinclair Broadcasting Group, Inc., to Buckeye Complaint, MB Docket No. 14-33, CSR-8874-C, filed Mar. 13, 2014; Reply of Buckeye to Sinclair Answer, MB Docket No. 14-33, CSR-8874-C, filed Mar. 26, 2014.

⁴ Letter from Michael D. Basile, Counsel for Buckeye, and Clifford M. Harrington, Counsel for Sinclair, to Marlene H. Dortch, Secretary, FCC, at 1 (July 15, 2014) ("Joint Letter").

⁵ *Id.*

⁶ 47 C.F.R. § 0.283.