



Federal Communications Commission  
Washington, D.C. 20554

June 17, 2015

**DA 15-709**  
**Released: June 17, 2015**

Nepsk, Inc.  
12 Brewer Road  
Presque Isle, Maine 04769

Re: WAGM-TV, Presque Isle, Maine  
Facility ID: 48305  
FRN: 0004939047

Dear Licensee:

This letter is in reference to the license renewal application for WAGM-TV, Presque Isle, Maine (the "Station"), which is licensed to Nepsk, Inc. (the "Licensee").<sup>1</sup> We hereby admonish the aforementioned Station for its violation of Section 73.3526(b)(2) of the Commission's rules.

Section 73.3526(e)(11)(i) of the Rules requires every commercial television licensee to place in its public file, on a quarterly basis, a TV issues/programs list which details programs that have provided the station's most significant treatment of community issues during the preceding three month period and which includes a brief narrative of the issue addressed, the time, date, duration, and title of each program in which the issue was treated. TV issues/programs lists must be placed in the Station's public file by the tenth day of the succeeding calendar quarter and copies must be retained until final action has been taken on the station's next license renewal application.<sup>2</sup>

In 2012 the Commission adopted Section 73.3526(b)(2) of the Rules, which requires licensees to upload elements of stations' public files to an online Commission hosted website (*i.e.*, a Station's "e-pif"). This requirement includes uploading copies of a station's quarterly TV issues/programs lists to its e-pif.<sup>3</sup> Broadcasters' e-pif requirements were phased in between August 2012 and February 2013. Beginning August 2, 2012, stations were required to post any document that would otherwise be placed in a station's public file, with limited exception, to their e-pif on a moving forward basis. By February 4, 2013, stations were required to upload to their e-pif, with limited exceptions, documents that were already in their physical public file prior to August 2, 2012.<sup>4</sup>

<sup>1</sup> File No. BRCDDT - 20141125AOH ("WAGM Renewal").

<sup>2</sup> 47 C.F.R. § 73.3526(e)(11)(i).

<sup>3</sup> 47 C.F.R. § 73.3526(b)(2); *Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations, Extension of the Filing Requirement for Children's Television Programming Report*, Second Report and Order, 27 FCC Rcd 4535 (2012) ("*Second Report and Order*") (requiring broadcast television stations to post their public inspection files, with limited exception, to an online Commission-hosted database).

<sup>4</sup> See *Effective Date Announced for Online Publication of Broadcast Television Public Inspection Files*, Public Notice, 27 FCC Rcd 7478 (2012) (announcing effective date of electronic public file rule); *Television Broadcast*

On November 25, 2014, the Licensee filed its license renewal application (FCC Form 303-S) for the Station.<sup>5</sup> A staff inspection of the Station's public file revealed that the Licensee did not comply with Section 73.3526(b)(2) of the Rules and the associated deadlines. For twenty-two quarters, Licensee failed to timely upload copies of its TV issues/programs lists to its e-pif. Finally, on November 5, 2014, the Licensee filed these missing issues/programs lists just before it filed its license renewal application, and well after the February 4, 2013 deadline outlined above. While the Station did self-report its late filed public file documents, these late filings still constitute a violation of Section 73.3526(b)(2) of the Rules.

While we do not rule out more severe sanctions for similar 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** the Station for its violation of Section 73.3526(b)(2) of the Commission's rules. We remind the Licensee that the Commission expects all commercial television licensees to comply with the agency's public inspection file rules.

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.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

cc:  
Christina H. Burrow, Esq.  
Cooley LLP  
1299 Pennsylvania Avenue, NW, Suite 700  
Washington, DC 20004

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*Stations Reminded of Their Online Public Inspection File Obligations*, Public Notice, 27 FCC Rcd 15315 (2012) (reminding station's to upload copies of existing public file documents to their electronic public file); *Television Broadcast Stations Reminded of the Upcoming Public Inspection Filing Deadline*, Public Notice, 28 FCC Rcd 429 (2013)(providing a final remainder to broadcasters to upload copies of existing public file documents to their electronic public file); *see also* Second Report and Order, 27 FCC Rcd at 4580, para. 97 (establishing compliance periods for complying with broadcasters new electronic public file requirement).

<sup>5</sup> File No. BRC DT - 20141125AOH ("WAGM Renewal").