



# PUBLIC NOTICE

**Federal Communications Commission**  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <https://www.fcc.gov>  
TTY: 1-888-835-5322

**DA 18-596**

**Released: June 7, 2018**

**MEDIA BUREAU SEEKS COMMENT ON TOP-FOUR SHOWING IN, AND EXTENDS  
PETITION TO DENY DATE FOR, APPLICATION TO ASSIGN STATIONS FROM RED  
RIVER BROADCAST CO., LLC, TO GRAY TELEVISION LICENSEE, LLC**

**Petition to Deny Date: July 9, 2018**

On May 17, 2018, the Federal Communications Commission (Commission) accepted for filing an application (Application) seeking consent to the assignment of the licenses of stations KDLT-TV, Sioux Falls, South Dakota, and authorized satellite KDLV-TV, Mitchell, South Dakota, from Red River Broadcast Co., LLC, to Gray Television Licensee, LLC. (Gray).<sup>1</sup> Gray currently owns and operates KSFY-TV, Sioux Falls, South Dakota. According to Gray, both KSFY-TV and KDLT-TV are historically ranked among the top-four rated stations (second and third, respectively) in the Sioux Falls (Mitchell) Nielsen Designated Market Area. Consistent with the Commission's action last year,<sup>2</sup> Gray seeks a case-by-case examination of this proposed combination, which would otherwise be prohibited by the Commission's rules.<sup>3</sup> To that end, Gray has submitted a showing to support its position that the public interest benefits of the combination would outweigh any harms and that, operated together, the stations would enhance competition in a local market characterized by massive concentration of market share in a single station and fragmented, undersized competitors.<sup>4</sup> By this Public Notice, we specifically seek comment on Gray's top-four showing and extend the date by which petitions to deny the Application must be filed to July 9, 2018.<sup>5</sup>

## GENERAL INFORMATION

All filings concerning the matter referenced in this Public Notice should refer to the file number of the Application. Submissions may be filed electronically through the Commission's Consolidated Database System (CDBS) or by filing paper copies.

- **Electronic Filers:** Documents may be filed electronically using the Internet by accessing CDBS: [https://licensing.fcc.gov/prod/cdbforms/prod/cdb\\_ef.htm](https://licensing.fcc.gov/prod/cdbforms/prod/cdb_ef.htm)
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each

<sup>1</sup> File No. BALCDT-20180516AAY.

<sup>2</sup> See *2014 Quadrennial Regulatory Review — Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, Order on Reconsideration and Notice of Proposed Rulemaking, 32 FCC Rcd 9802, 9836 – 9839, paras. 78-82 (2017).

<sup>3</sup> 47 CFR § 73.3555(b)(1)(i).

<sup>4</sup> Application, Exhibit 18.

<sup>5</sup> 47 CFR § 73.3584(a). The Application appeared on public notice on May 21, 2018 (Report No. 29240); thus, petitions to deny the Application originally must have been filed by June 20, 2018.

filing. Filings may be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, 445 12<sup>th</sup> Street, S.W., Washington, DC 20554.

- All hand-delivered or messenger-delivered paper filings no larger than a copier paper box for the Commission's Secretary must be delivered to the Mail and Distribution Window at FCC Headquarters at 445 12th Street, S.W., Washington, D.C. 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, DC 20554.

**In addition, one copy of each submission must be sent to the following:**

- David Brown, Video Division, Media Bureau, Room 2-A662, e-mail [David.Brown@fcc.gov](mailto:David.Brown@fcc.gov)
- Chris Robbins, Video Division, Media Bureau, Room 2-A847, e-mail [Chris.Robbins@fcc.gov](mailto:Chris.Robbins@fcc.gov)
- Darren Fernandez Video Division, Media Bureau, Room 2-A768, e-mail [Darren.Fernandez@fcc.gov](mailto:Darren.Fernandez@fcc.gov)

Any submission that is e-mailed to David Brown, Chris Robbins or Darren Fernandez should include in the subject line of the e-mail: (1) the application number; (2) the name of the submitting party; (3) a brief description or title identifying the type of document being submitted (*e.g.*, Gray Sioux Falls Assignment).

*People with Disabilities.* To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

*Availability of Documents.* Documents in this proceeding will be available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554.

The applications are also available electronically through the Commission's Consolidated Database System (CDBS), which may be accessed on the Commission's Internet website at <http://www.fcc.gov>.

For further information, contact David Brown at (202) 418-1645, Chris Robbins at (202) 418-0685, or Darren Fernandez at (202) 418-2769. For press inquiries, contact Janice Wise at (202) 418-8165.

By: Chief, Media Bureau