



Federal Communications Commission  
Washington, D.C. 20554

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DA 26-612

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Re: Transfer of Control of Cadillac Telecasting Co.  
LMS File No. 0000288234

Dear Counsel:

The Video Division, Media Bureau, has before it the above-captioned application seeking consent to the transfer of control of Cadillac Telecasting Co. (Cadillac), the licensee of television station WFQX-TV, Cadillac, Michigan (WFQX-TV or Station), and its full power satellite WFUP(TV), Vanderbilt, Michigan, from the Bolea Revocable Trust (Bolea Trust) to the Mario Peter Iacobelli Revocable Trust (Iacobelli Trust, and, together with Cadillac and the Bolea Trust, the Applicants).<sup>1</sup> DIRECTV, LLC (DIRECTV), filed a petition to deny the Application.<sup>2</sup> For the reasons set forth below, we deny the Petition and grant the Application.

*Background.* The Iacobelli Trust ultimately controls Heritage Broadcasting Company of Michigan (Heritage), the licensee of television station WWTV(TV), Cadillac, Michigan, and its full power satellite WWUP-TV, Sault Ste. Marie, Michigan. If it acquires WFQX-TV,<sup>3</sup> the Iacobelli Trust would have an attributable interest in two television stations in the Traverse City-Cadillac, MI Designated Market Area (DMA).<sup>4</sup>

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<sup>1</sup> LMS File No. 0000288234 (filed Jan. 27, 2026) (Application).

<sup>2</sup> Petition to Deny of DIRECTV, LLC, LMS Pleading File No. 0000290285 (filed Mar. 2, 2026) (Petition).

<sup>3</sup> WWTV currently provides, and for nearly 20 years has provided, programming support and sales services to WFQX-TV pursuant to a Shared Services Agreement and Advertising Representation Agreement. *See* Application, Comprehensive Transaction Exhibit at 1 (Comp. Ex.); Joint Opposition to Petition to Deny of Heritage Broadcasting Company of Michigan and Cadillac Telecasting Company, LMS Pleading File No. 0000290929, at 2 (filed Mar. 12, 2026) (Joint Opposition).

<sup>4</sup> The Iacobelli Trust requests a continuing satellite exemption for WFUP, pursuant to the standards set forth in *Streamlined Reauthorization Procedures for Assigned or Transferred Television Satellite Stations*, MB Docket Nos. 18-63 and 17-105, Report and Order, 34 FCC Rcd 1539 (2019). It has provided a copy of the most recent written

The Local Television Ownership Rule, as reflected in the Code of Federal Regulations, provides that an entity may own two television stations licensed in the same DMA if: “(i) the digital noise limited service contours of the stations . . . do not overlap; or (ii) at the time the application to acquire . . . the station(s) is filed, at least one of the stations is not ranked among the top-four stations in the DMA, based on the Sunday to Saturday, 7 a.m. to 1 a.m. daypart audience share ratings averaged over a 12-month period immediately preceding the date of the application, as measured by Nielsen Media Research or by any comparable professional, accepted audience ratings service.”<sup>5</sup> However, the court in *Zimmer Radio* vacated the latter provision—the Top-Four Prohibition—such that ownership of any two stations in a single DMA is now rule compliant (the Two-Station Limit).<sup>6</sup>

*Pleadings.* DIRECTV asserts in its Petition that it has standing to file, alleging direct economic harm due to higher input prices that it asserts it will have to pay as a result of the transaction.<sup>7</sup> DIRECTV further claims that it also has standing as a competitor, citing broadcasters’ arguments in rulemaking proceedings that multichannel video programming distributors (MVPD) compete with over-the-air broadcasters for viewers as they simultaneously rely on broadcasters as program suppliers.<sup>8</sup> DIRECTV maintains that *Zimmer Radio* does not affect the Applicants’ affirmative obligation under section 310(d) of the Communications Acts of 1934, as amended (Act), to show that the proposed license transfer is in the public interest.<sup>9</sup> DIRECTV asserts that the Applicants fail to make any public interest showing despite the clear harm arising from creating a new “Big Four” duopoly.<sup>10</sup> Specifically, DIRECTV argues that the evidence shows that local television consolidation gives broadcasters more leverage to charge higher retransmission fees, which leads to higher bills for MVPD customers.<sup>11</sup> DIRECTV further contends that the transaction will lead to higher prices for DIRECTV and its customers because Heritage, via growth and the resultant diminished competition, would command higher retransmission consent rates than it had previously.<sup>12</sup>

The Applicants respond that “[e]ach of Heritage and Cadillac is a small, closely-held business owning exactly one full-service television station and one satellite (repeater) in northern Michigan, in the 116th-ranked Traverse City-Cadillac DMA” and that calling DIRECTV’s contention that combining the two would make consumer price increases inevitable “a stretch would be a serious understatement.”<sup>13</sup> They further contend that “[w]hat has become increasingly *obvious* in recent weeks is that DIRECTV,

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decision of the Commission approving such status, see *Cadillac Telecasting Co. c/o Greg P. Skall, Esq.*, Letter Order, 22 FCC Rcd 18106 (MB 2007), and certified that there has been no material change in the underlying circumstances upon which the Commission relied. Comp. Exh. at 3-5.

<sup>5</sup> 47 CFR § 73.3555(b) (vacated in part by *Zimmer Radio of Mid-Missouri, Inc. v. FCC et al.*, 145 F.4th 828 (8th Cir. 2025) (*Zimmer Radio*) (Local Television Ownership Rule).

<sup>6</sup> See *Letter from Chief, Video Division to Sinclair, Inc., et al.*, Letter Order, DA 26-108 (MB Feb. 3, 2026) (*Sinclair-Cunningham-Roberts Letter Order*) (application for review pending).

<sup>7</sup> Petition at 3-6.

<sup>8</sup> *Id.* at 6.

<sup>9</sup> *Id.* at 8.

<sup>10</sup> *Id.* at 10-16.

<sup>11</sup> *Id.* at 10-11.

<sup>12</sup> *Id.* at 15-16.

<sup>13</sup> Joint Opposition at 2-3.

*inevitably*, will reflexively oppose every single proposed, top-four-station in-market combination.”<sup>14</sup> The Applicants state that the transaction complies with all Commission rules, including the post-*Zimmer Radio* Local Television Ownership Rule.<sup>15</sup> They also contend that the acquisition will present no harm<sup>16</sup> and that it will, in fact, strengthen WFQX-TV and its service to the Traverse City-Cadillac, MI DMA, because the acquisition would reduce a small market station’s competitive disadvantage as it confronts the competitive headwinds created by Big Tech giants and the “[e]ver-escalating programming acquisition costs [that] . . . gobble up an increasingly large percentage of local stations’ diminishing revenues.”<sup>17</sup> Finally, the Applicants assert that the transaction will produce public interest benefits by strengthening WFQX-TV and WWTW by “being able to combine newsrooms and staff and other resources across a region this large,” thus being able to share all overhead and allow for some cost savings “that Heritage intends to invest into local programming and service, allowing for deeper and higher quality local news coverage. . . .”<sup>18</sup>

In reply, DIRECTV states that, while the “Applicants are smaller than some of the other broadcasters that have sought to create Big Four duopolies in other markets across the country,” the competitive analysis regarding local consolidation . . . does not depend on the size of the broadcaster involved.”<sup>19</sup> It further contends that Applicants ignore or minimize the harms established in the Petition with regard to retransmission consent and fail to establish the public interest benefits associated with this transaction.<sup>20</sup> DIRECTV also argues that there is no “retransmission consent exception” to the Commission’s transaction review; the Commission’s public interest analysis must address DIRECTV’s contention that the transaction would result in an increase in retransmission consent rates.<sup>21</sup>

*Standing.* Under section 309(d) of the Act, only a “party in interest” has standing to file a petition to deny.<sup>22</sup> In addition to containing the necessary factual allegations to support a *prima facie* case that grant of the application would be inconsistent with the public interest, convenience, and necessity, a petition to deny must contain specific allegations of fact demonstrating that the petitioner is a party in interest.<sup>23</sup> The allegations of fact, except for those of which official notice may be taken, must be supported by an affidavit or declaration under penalty of perjury of someone with personal knowledge of the facts alleged.<sup>24</sup> In general, a petitioner in a transfer or assignment proceeding also must allege and prove that: (1) it has suffered or will suffer an injury in fact; (2) there is a causal link between the proposed transfer and the injury in fact; and (3) that not granting the transfer or assignment would remedy

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<sup>14</sup> *Id.* at 3 (emphasis in original).

<sup>15</sup> *Id.* at 4-5.

<sup>16</sup> The Applicants contend that, post-*Zimmer Radio*, “there is nothing to prevent Heritage from acquiring WFQX’s Fox affiliation and negotiating retransmission consent jointly for two Big Four affiliates in the same market” and that, accordingly, “DIRECTV has no standing to raise its challenge because denial of the Application would not prevent the alleged harm.” *Id.* at 6, n.15.

<sup>17</sup> Joint Opposition at 8-10.

<sup>18</sup> *Id.* at 10.

<sup>19</sup> Reply of DIRECTV, LMS Pleading File No. 0000292950, at 2 (filed Mar. 19, 2026).

<sup>20</sup> *Id.* at 2-9.

<sup>21</sup> *Id.* at 4 & n.12.

<sup>22</sup> 47 U.S.C. § 309(d); 47 CFR § 73.3584.

<sup>23</sup> 47 U.S.C. § 309(d).

<sup>24</sup> *Id.*

or prevent the injury in fact.<sup>25</sup> In the broadcast regulatory context, standing is generally shown in one of three ways: (1) as a competitor in the market subject to signal interference; (2) as a competitor in the market subject to economic harm; or (3) as a resident of the station's service area or regular listener of the station.<sup>26</sup> In the case of viewer standing, the petitioner must allege that he or she is a resident of the station's service area or a regular viewer of the station.<sup>27</sup> An organization can establish standing on behalf of its members if it provides an affidavit or declaration "of one or more individuals entitled to standing indicating that the group represents local residents and that the petition is filed on their behalf."<sup>28</sup>

We find that DIRECTV has demonstrated that it meets the requirements for standing with regard to the Application. In its Petition, DIRECTV claims that grant of the transaction will have specific, negative effects on it, specifically related to retransmission consent fee negotiations, and that those harms can be cured by dismissal or denial of the Application.<sup>29</sup> Based on these claims, and consistent with precedent, we find that DIRECTV has met the requirements for standing.<sup>30</sup>

*Discussion.* Section 310(d) of the Act provides that no station license shall be transferred or assigned except upon application to the Commission and upon a finding by the Commission "that the public interest, convenience, and necessity will be served thereby."<sup>31</sup> In making this determination, we first assess whether the proposed transaction complies with the specific provisions of the Act, other applicable statutes, and the Commission's rules.<sup>32</sup> If the proposed transaction does not violate a statute or rule, we then consider whether the transaction could result in public interest harms by substantially frustrating or impairing the objectives or implementation of the Act or related statutes.<sup>33</sup> For the reasons explained below, we find that the proposed transaction fully complies with the Commission's rules, including the post-*Zimmer Radio* Local Television Ownership Rule, and that there are no issues or potential public interest harms identified in the record that would require further consideration. Notably, while the Commission will consider transaction-specific objections to otherwise rule-compliant transactions, we find that DIRECTV has failed to advance any such objections. Accordingly, we conclude that grant of the Application will result in public interest benefits and serve the public interest, convenience, and necessity.

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<sup>25</sup> See, e.g., *Lujan v. Defenders of Wildlife*, 504 U.S. 555 (1992); *MCI Communications Corp.*, Memorandum Opinion and Order, 12 FCC Rcd 7790 (1997); *Saga Communications of North Carolina, LLC and Library Productions, a Limited Partnership, re: WOXL-FM*, Letter Order, 20 FCC Rcd 11987 (MB 2005).

<sup>26</sup> See, e.g., *Entercom License, LLC, Hearing Designation Order*, MB Docket No. 16-357, 31 FCC Rcd 12196, 12205 (2016); *Connoisseur Media Licenses, LLC*, Letter Order, 30 FCC Rcd 6045, 6048-6049 (MB 2015).

<sup>27</sup> See *Rainbow/PUSH Coalition v. FCC*, 330 F.3d 539, 542-43 (D.C. Cir. 2003).

<sup>28</sup> *Cox Radio, Inc. & Summit Media, LLC*, Letter Order, 28 FCC Rcd 5674, 5676, n.12 (MB 2013).

<sup>29</sup> See Petition at 3-6.

<sup>30</sup> See *Sinclair-Cunningham-Roberts Letter Order* at 6; *Letter from Chief, Video Division to Sinclair, Inc., et al.*, Letter Order, DA 26-177, at 4-5 (MB Feb. 20, 2026) (*Sinclair-HSH-Cunningham-Deerfield Letter Order*) (application for review pending); *Applications of Tribune Media Company, Nexstar Media Group, Inc. et al*, MB Docket No. 19-30, Memorandum Opinion and Order, 34 FCC Rcd 8436, 8448, para. 24 (2019); *Applications to Transfer Control of License Subsidiaries of Media General, Inc., to Nexstar Broadcasting, Inc.*, MB Docket No. 16-57, Memorandum Opinion and Order, 32 FCC Rcd 183, 189, para. 16 (MB/WTB 2017).

<sup>31</sup> 47 U.S.C. § 310(d).

<sup>32</sup> *Applications for Consent to the Transfer of Control of Paramount Global*, Memorandum Opinion and Order, 40 FCC Rcd 5689, 5701, para. 25 (2025).

<sup>33</sup> *Id.*

In recent decisions issued subsequent to the close of the pleading cycle in this proceeding, we have considered and rejected substantially similar arguments raised by DIRECTV. On February 3, 2026, the Bureau issued the *Sinclair-Cunningham-Roberts Letter Order*, which addressed and rejected many of the arguments presented by DIRECTV here.<sup>34</sup> In that decision, we traced the history of the Local Television Ownership Rule, from its initial adoption in the *1999 Television Ownership Order*<sup>35</sup> through the Eighth Circuit’s vacatur of the Top-Four Prohibition, and recognized that “the Two-Station Limit, without restriction, now is the Local Television Ownership Rule.”<sup>36</sup> We also rejected the contention that the Commission must engage in a balancing process pursuant to section 310(d) of the Act before granting an application, explaining that “[w]here the Commission has adopted a specific, numerical ownership limit, as it has with the Two-Station Limit, an applicant satisfies its initial burden of showing that the transaction is in compliance with the Act and the Commission’s rules and policies related to competition and diversity by correctly certifying compliance with that limit.”<sup>37</sup> On February 20, 2026, largely in reliance on the *Sinclair-Cunningham-Roberts Letter Order*, we issued the *Sinclair-HSH-Cunningham-Deerfield Letter Order*, rejecting claims raised by DIRECTV, again similar to those raised in its Petition here.

We find that the Application fully complies with the Two-Station Limit, and DIRECTV has failed to provide any transaction-specific arguments that raise a substantial and material question of fact sufficient to show that grant of the Application would be *prima facie* inconsistent with the public interest.<sup>38</sup> The Petition focuses primarily on the retransmission consent harms raised by the proposed combinations.<sup>39</sup> However, just as we found in the *Sinclair-Cunningham-Roberts Letter Order* and again in the *Sinclair-HSH-Cunningham-Deerfield Letter Order* that similar concerns were speculative, we reach the same determination here.<sup>40</sup> And again, as we explained in the *Sinclair-Cunningham-Roberts Letter Order*, the Commission has found on multiple occasions in the past that issues of broad applicability, such as the effect of common ownership of two top-four stations on the market for retransmission consent, are best handled in a rulemaking of industry-wide effect.<sup>41</sup> We emphasize again that we will not

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<sup>34</sup> See *Sinclair-Cunningham-Roberts Letter Order*.

<sup>35</sup> *Review of the Commission’s Regulations Governing Television Broadcasting and Television Satellite Stations Review of Policy and Rules*, MB Docket Nos. 91-221 and 87-8, Report and Order, 14 FCC Rcd 12903 (1999) (*1999 Television Ownership Order*).

<sup>36</sup> *Sinclair-Cunningham-Roberts Letter Order* at 8 (emphasis in original).

<sup>37</sup> *Id.*

<sup>38</sup> 47 U.S.C. § 309(d)(1); see also 47 CFR § 73.3584.

<sup>39</sup> See, e.g., Petition at 10 (“The public harm, meanwhile, is clear. The evidence shows that local television consolidation gives broadcasters more leverage to charge higher retransmission consent fees.”).

<sup>40</sup> *Sinclair-Cunningham-Roberts Letter Order* at 9 (“In essence, DIRECTV argues that additional scale will lead to increased retransmission consent rates, which it will pass along to consumers. We find this argument, as it relates to these transactions, to be speculative and unsupported by any transaction-specific evidence.”); *Sinclair-HSH-Cunningham-Deerfield Letter Order* at 6.

<sup>41</sup> *Sinclair-HSH-Cunningham-Deerfield Letter Order* at 6; *ACME Television, Inc.*, Letter Decision, 26 FCC Rcd 5189, 5192 (MB 2011), citing *Pine Bluff Radio, Inc.*, Memorandum Opinion and Order, 14 FCC Rcd 6594, 6599 (1999); *Application of Great Empire Broadcasting, Inc. and Journal Broadcasting Corp.*, Memorandum Opinion and Order, 14 FCC Rcd 11145, 11148 (1999); see also *Community Television of Southern California v. Gottfried*, 459 U.S. 499, 511 (1983) (“[A] rulemaking is generally a better, fairer, and more effective method of implementing a new industry wide policy than uneven application of conditions in isolated [adjudicatory] proceedings.”).

consider such issues in an adjudication involving rule-compliant broadcast television duopolies.<sup>42</sup>

Finally, based on our own review of the proposed transactions, we have not identified any issues or potential public interest harms that would require further consideration. To the contrary, we find that that operational “efficiencies allowed by common ownership” could benefit viewers as Heritage looks to reinvest those efficiencies “into sustaining and, potentially improving, its local news operations.”<sup>43</sup>

Accordingly, having reviewed the Application and the record in this matter, **IT IS ORDERED** that, for the reasons specified herein, the Application (LMS File No. 0000288234) **IS GRANTED**.

**IT IS FURTHER ORDERED** that the request for continued operation of WFUP(TV), Vanderbilt, Michigan, as a satellite station of WFQX-TV, Cadillac, Michigan, pursuant to the “satellite exception” of Note 5 to section 73.3555 of the Commission’s rules, 47 CFR § 73.3555, **IS GRANTED**.

**IT IS FURTHER ORDERED** that the Petition to Deny filed by DIRECTV, LLC, **IS DENIED**.

These actions are taken pursuant to sections 0.61 and 0.283 of the Commission’s rules, 47 CFR §§ 0.61, 0.283, and sections 4(i) and (j), and 310(d) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 310(d).

Sincerely,

/s/

David J. Brown  
Chief, Video Division  
Media Bureau

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<sup>42</sup> *Sinclair-Cunningham-Roberts Letter Order* at 7-8.

<sup>43</sup> Joint Opposition at 3-4.