

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

In the Matter of)	
)	
Application of Sinclair Broadcast Group,)	MB Docket No. 17-179
Inc. and Tribune Media Company for)	
Consent to Assign or Transfer Control of)	
Licenses and Authorizations to:)	
)	
HSH Bellevue (KUNS) Licensee, LLC)	BALCDT-20180426ABR
HSH St. George (KMYU) Licensee, LLC)	BALCDT-20180426ABQ
HSH OK City (KAUT) Licensee, LLC)	BALCDT-20180426ABP

CONSOLIDATED OPPOSITION

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SUMMARY

The above-captioned applications are in the public interest and granting assignment would uniquely promote diversity in broadcast ownership. Assignees are minority (African-American) entities owned by Armstrong Williams, an experienced broadcaster. The Commission has acknowledged the need to enhance minority ownership for forty years, *Statement of Policy on Minority Ownership of Broadcast Facilities, Public Notice*, 68 FCC 2d 979 (1978), and these assignment applications provide an appropriate opportunity to do just that. Congress has also recognized the poor state of minority ownership in broadcasting, which is why Section 257 of the Telecommunications Act of 1996 contains language aimed at increasing female and minority ownership. Moreover, Section 309(j) of the Communications Act, as amended, obligates the Commission to limit and remove “market entry barriers for entrepreneurs and other small businesses” and to do so by “favoring diversity of media voices.” The Sinclair-Tribune merger and these accompanying station spin-off assignments to minority-owned enterprises present a perfect opportunity to help achieve these significant public service goals which have remained unfulfilled for far too long.

Requests by Petitioners to delay consideration of the assignments until the D.C. Circuit completes its review of the pending challenge to the Commission’s UHF Discount Rule (USCA Case #17-1129) are improper in this application (non-rulemaking) proceeding. In fact, on June 15, 2017, the D.C. Circuit denied a request for an outright stay of the UHF Discount during the pendency of the appeal. On the merits, the applications comply with the Commission’s current broadcast ownership and attribution rules and meet all the requirements for approval of a Form 314 assignment application. Neither this transaction nor the petitioners’ objections are novel. The petitions to deny do not raise any issue that would justify denial of the applications or imposition

of any conditions to the grant of the applications.

Granting the assignment applications manifestly serves the public interest, promotes minority broadcast ownership, and advances diversity. For these reasons, the Commission should apply its carefully developed rules, policies, and clear precedent and, accordingly, reject the petitions and promptly grant these assignment applications.

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Application of Sinclair Broadcast Group, Inc.
and Tribune Media Company for Consent to
Assign or Transfer Control of Licenses and
Authorizations to:

HSH Bellevue (KUNS) Licensee, LLC
HSH St. George (KMYU) Licensee, LLC
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CONSOLIDATED OPPOSITION

HSH Bellevue (KUNS) Licensee, LLC, HSH St. George (KMYU) Licensee, LLC, and
HSH OK City (KAUT) Licensee, LLC (collectively “HSH”),¹ by their attorney and pursuant to
Section 73.3548(b) of the Commission’s rules, 47 C.F.R. § 73.3548(b), hereby files this
Consolidated Opposition (“Opposition”) to the comments and petitions to deny (“Petitions”)²

¹ These HSH companies are owned by Howard Stirk Holdings, LLC, which is owned by
Armstrong Williams, an experienced African-American broadcaster.

² The Petitions submitted in the special MB Docket 17-179 that mention HSH’s proposed
assignments and are addressed herein include: DISH Network, L.L.C. (“DISH”) (June 20, 2018);
Petition to Deny of the American Cable Association (“ACA”) (June 20, 2018) (“ACA Petition”);
Petition to Deny of NCTA-The Internet & Television Association (“NCTA”) (June 20, 2018);
Petition to Deny of Free Press, (June 20, 2018) (“Free Press Petition”); Petition to Deny of
National Hispanic Media Coalition, Common Cause, and the United Church of Christ, OC Inc.
(“National Hispanic Media”) (June 20, 2018) (“National Hispanic Media Petition”); Petition to
Deny of Cinémoi, Herndon Reston Indivisible, International Cinematographers Guild, Latino
Victory Project, National Association of Broadcast Employees and Technicians-CWA, NTCA-
Rural Broadband Association, Public Knowledge, RIDE Television Network, and Sports Fans
Coalition (“Independent Programmers”) (June 20, 2018) (“Independent Programmer Petition”);
Petition to Deny of Herndon Reston Indivisible (“Herndon”) (June 20, 2018)(“Herndon
Petition”). Collectively these filers are referred to as “Petitioners.” The vast majority of
comments and petitions submitted do not specifically address HSH’s qualifications to be a
station licensee. *See infra* note 32 and accompanying text. To the extent the Commission may

filed in the above-referenced proceeding in response to the Media Bureau's May 21, 2018 Public Notice³ seeking comment on the Divestiture Applications, which include KAUT-TV, Oklahoma City, OK (BALCDT-20180426ABP), KUNS-TV, Bellevue, WA (BALCDT-20180426ABQ), and KMYU-TV, St. George, Utah (BALCDT-20180426AB) (collectively "Applications" and/or "Stations").

Background

On April 26, 2018, HSH submitted its assignment Applications as part of the larger merger transaction between Sinclair Broadcast Group, Inc. ("Sinclair") and Tribune Media Company ("Tribune"). As fully disclosed in the Applications, following consummation of the proposed sale, Sinclair will acquire a purchase option and provide sales and other non-programming support services, including technical, promotional and marketing, back-office, and other ministerial services, to the HSH Stations pursuant to a shared services agreement and a joint sales agreement (the "Services Agreements").⁴

Under the Services Agreements, HSH is entirely responsible for maintaining its operations,⁵ meeting financial obligations of the HSH Station,⁶ determining programming to be aired on the station,⁷ and maintaining sufficient personnel to comply with the FCC's rules.⁸

disagree and concludes that any additional pleadings apply to the HSH applications or otherwise challenge HSH's qualifications, then HSH opposes those filings for the same reasons provided herein.

³ *Media Bureau Establishes Consolidated Pleading Cycle for Amendments to the June 26, 2017, Applications to Transfer Control of Tribune Media Company to Sinclair Broadcast Group, Inc., Related new Divestiture Applications, and Top-Four Showings in Two Markets*, MB Docket No. 17-179, DA 18-530 (rel. May 21, 2018).

⁴ See Attachment 5 of the Application, Shared Services Agreement ("SSA"), Joint Sales Agreement ("JSA"), and Option Agreement attached as exhibits to each of the Applications.

⁵ See SSA, at § 2; JSA at § 4.6.

⁶ See *id.*

⁷ See SSA, at § 3.2; *see also* JSA, at §§ 4.3, 4.6.

⁸ See SSA, at §§ 3.1, 3.2.

Sinclair will provide up to 15% of the programming of the HSH Stations,⁹ but HSH will retain “ultimate authority with respect to the selection and procurement of programming” on the HSH Stations.¹⁰ Sinclair will have no right “to control the policies, operations, management or any other matter relating to” the HSH Stations.¹¹ With respect to retransmission matters, HSH “shall have exclusive authority for the negotiation, preparation, execution and implementation of any and all programming and retransmission consent agreements.”¹² HSH is also “responsible for taking such steps as are reasonably necessary to effectuate such elections” and has “the sole right and responsibility to grant retransmission consent to MVPDs and to enter into contracts memorializing such consent.”¹³

HSH is owned and operated by Armstrong Williams, a prominent African-American broadcaster and entrepreneur. Mr. Williams has a long and distinguished career in the broadcast business, including having extensive production and on-air experience. He began his radio career in 1991 at WOL Radio in Washington, DC and has had a nationally syndicated radio show since 1995. Mr. Williams is also a syndicated columnist, does national commentary, is the author of three books, his last published in 2011 by New Chapter Publishing entitled “Reawakening Virtues,” and hosts a weekly nationally syndicated television show entitled “The Armstrong Williams Show.” He is also the founder of the Graham Williams Group, a public relations firm in Washington, DC, and of Armstrong Williams Productions LLC, which provides website content. His HSH companies are licensees of seven television stations in good standing.¹⁴

Of particular note, HSH’s WGWG(TV) (FID No. 21536), Charleston, South Carolina

⁹ See JSA, at §§ 4.2, 4.3, 4.6.

¹⁰ See SSA, at § 3.2; *see also* JSA, at §§ 4.2, 4.3, 4.6.

¹¹ See SSA, at § 2.

¹² JSA, at § 4.6.

¹³ JSA, at § 5.1(g).

¹⁴ See Application Attachment 16.

(previously WCIV), was a station that was scheduled to go dark in 2014 under the terms of the Allbritton Communications sale to Sinclair.¹⁵ HSH sought, along with Sinclair, to avoid such a detrimental outcome, which would have otherwise reduced service to the Charleston area and accordingly HSH instead acquired the station from Sinclair.¹⁶ This extraordinary step by HSH (and Sinclair) preserved and expanded program service and viewer options, unmistakably serving the public interest.

Discussion

I. PETITIONERS' REQUEST TO ADOPT WIDE-RANGING RULE CHANGES IN THIS PROCEEDING, AND TO POSTPONE ANY DETERMINATION UNTIL THE D.C. CIRCUIT RULES ON A PENDING APPEAL OF THE UHF DISCOUNT, ARE PROCEDURALLY INAPPROPRIATE

The courts have stated that when an agency seeks to change existing legislative agency rules, it may do so only through the notice and comment procedures outlined in the Administrative Procedure Act (“APA”) for legislative rulemaking proceedings.¹⁷ The Commission has well-defined rules governing local television ownership and attribution, and the Commission regularly reviews those rules.¹⁸ The Commission also has reviewed shared services agreements and joint sales agreements in past rulemaking and adjudicatory proceedings.¹⁹ The

¹⁵ See *Applications for Consent to Transfer of Control from License Subsidiaries of Allbritton Communications Co. to Sinclair Television Group, Inc.*, DA 14-1055 (rel. July 24, 2014).

¹⁶ See BALCT-20140910ADE, Exhibit 5.

¹⁷ See, e.g., *United States Telecom Assoc. v. FCC*, 400 F.3d 29, 39-40 (D.C. Cir. 2005); and *Travelers Information Stations*, 25 FCC Rcd 18117, at ¶ 12 n. 37 (2010).

¹⁸ See 47 C.F.R. § 73.3555; Telecommunications Act of 1996, Pub. L. No. 104-104, § 202(h), 110 Stat. 56, 111-12 (1996); Consolidated Appropriations Act, 2004, Pub. L. No. 108-99, § 629, 118 Stat. 3, 99-100 (2004); *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*, FCC 16-107, released August 25, 2016.

¹⁹ See, e.g., *Rules and Policies Concerning Attribution of Joint Sales Agreements in Local Television Markets*, MB Docket No. 04-256, Notice of Proposed Rulemaking, 19 FCC Rcd 15238 (2004) (seeking comment on whether to attribute TV joint sales agreements); *Malara Broadcast Group*, 19 FCC Rcd 24070 (MB 2004); *Piedmont Television of Springfield License LLC*, 22 FCC Rcd 13910 (MB 2007); *Nexstar Broadcasting, Inc.* 23 FCC Rcd 3528 (MB 2008); *SagamoreHill of Corpus Christi Licenses, LLC*, 25 FCC Rcd 2809 (MB 2010).

Services Agreements between HSH and Sinclair are fully consistent with the Commission's decisions regarding such agreements.²⁰

Issues regarding such local services agreements were also recently re-evaluated in the Commission's broadcast ownership reconsideration proceeding on the attribution of JSAs.²¹ In its *TV JSA Recon Oder* (at ¶ 101), the Commission reinstated the position it had maintained for nearly twenty years prior, holding the record did not substantiate that television JSAs confer on the brokering station a sufficient degree of influence or control over the core operating functions of the brokered station to warrant attribution. Moreover, the Commission noted that the record on television JSAs contained ample evidence of the public interest benefits they provide. It also concluded that even if it had correctly determined that television JSAs involving more than 15 percent of the brokered station's weekly advertising time confer sufficient influence to warrant attribution, it nevertheless concluded that the potential benefits of television JSAs outweigh the public interest in attributing such JSAs (*supra*). Many of the Petitioners participated in those rulemaking proceedings and raised exactly the same arguments then as they are now in opposition to HSH's assignment Applications. The Commission should not take Petitioners' bait and circumvent the APA-mandated rulemaking process, which they participated in, and consider the arguments of Petitioners in this application proceeding.

Petitioners further argue that review and processing of the Applications should be postponed until the outcome of the appeal of the UHF Discount's reinstatement have concluded at the D.C. Circuit. Petitioners, however, provide no legal support or precedent for their request, and there is none. However, when the Commission's ownership rules were under review at the Third Circuit, the Commission did not put a halt to all proceedings impacted by such rules.

²⁰ See *Id.*, and notes 4-14 and accompanying text, *supra*.

²¹ *Rules and Policies Concerning Attribution of Joint Sales Agreements in Local Television Markets (Reconsideration)*, FCC 17-156, released November 20, 2017 (herein "*TV JSA Recon Order*").

Instead, it did what it should have, applied the rules in place at the time. It should do the same now, consistent with established procedure and precedent.²²

Petitioners previously attempted to get a stay of the UHF Discount, but were rejected by the D.C. Circuit on June 15, 2017 (USCA Case #17-1129, Document #1679769). Other courts have also declined to enforce repealed rules that are the subject of judicial review.²³

In short, as explained above, the HSH Applications involve nothing more than the routine application of existing precedent, and because the Applications meet established standards, they should be processed and approved in due course.

II. GRANT OF THE APPLICATIONS ARE IN THE PUBLIC INTEREST

A. HSH is Minority-Owned and Will Advance Diversity in Broadcast Ownership

HSH is 100% owned by Mr. Armstrong Williams, one of the few African-American television broadcast owners today. Mr. Williams's ownership of television stations manifestly furthers competition, diversity, localism and the public interest. HSH and Mr. Williams have been able to provide a new and diverse voice in the marketplace and the communities where it operates stations,²⁴ create new programming, and engage the local community in ways that did not exist before the stations were purchased. HSH proposes to do the same with the Stations.

As explained in the Applications (Assignee's Exhibit 13), HSH's acquisition will afford opportunity to expand employment of a diverse and multiracial workforce. Over half of the employees of Mr. Williams's companies holding television licenses are minorities, from entry-

²² See, e.g., *Second Baptist Church*, Memorandum Opinion and Order, 18 FCC Rcd 22724 (2003) (NCE CP application granted using court challenged point system despite pendency of review in *American Family Association, Inc. v. FCC*, 365 F.3d 1156 (D.C. Cir. 2004)).

²³ See, e.g., *Washington Association for Television and Children v. FCC*, 665 F.2d 1264, 1269 (D.C. Cir. 1981) (court challenge of Commission's modification of Top 50 Policy did not prevent application of the revised policy).

²⁴ Mr. Williams's sole member companies hold the following licenses: WEYI-TV, Saginaw, MI; WWMB(TV), Florence, SC; WXBU(TV), Lancaster, PA; WSES(TV), Tuscaloosa, AL; WGWW(TV), Anniston, AL; KHSV(TV), Las Vegas, NV; and WGWG(TV), Charleston, SC.

level positions to upper-level management positions. Minorities are employed as station general managers, directors of operations and creative directors.

The Commission has acknowledged the need to enhance minority ownership for forty years. *See e.g., Statement of Policy on Minority Ownership of Broadcast Facilities, Public Notice*, 68 FCC 2d 979 (1978). Congress also has recognized the poor state of minority ownership. The Telecommunications Act of 1996 contains language aimed at increasing female and minority ownership of broadcast licenses and other important communications mediums. 47 U.S.C. § 257, § 309(j). The Act requires the Commission to limit and remove “market entry barriers for entrepreneurs and other small businesses” and to do so by “favoring diversity of media voices.”²⁵ The assignment Applications present a unique and important opportunity for further genuine progress in advancing minority ownership.

As noted above (pgs. 2-3), at closing HSH will enter into a JSA, SSA, and Option with Sinclair. This is an enormous benefit and provides an appropriate way to increase the operational success of the Stations, making real the advancement of minority ownership. Mr. Williams’s believes JSAs and SSAs uniquely help minority owners. For example, in 2013, Mr. Williams’s Saginaw (Flint) and Florence (Myrtle Beach) stations, which at the time represented two of only three television stations licensed to African-American owned companies in the United States,

²⁵ While Section 257 is contained within Title II of the Communications Act and thus does not directly encompass broadcast services, the Commission has interpreted some aspects of the language of §257 to apply to broadcast licensing. In 1998, the Commission stated: “While telecommunications and information services are not defined by the 1996 Act to encompass broadcasting, Section 257(b) directs the Commission to ‘promote the policies and purposes of this Act favoring diversity of media voices’ in carrying out its responsibilities under Section 257 and, in its Policy Statement implementing Section 257, the Commission discussed market entry barriers in the mass media services.” See FCC 98-281, *Report and Order: In the Matter of 1998 Biennial Regulatory Review -- Streamlining of Mass Media Applications Rules, and Processes -- Policies and Rules Regarding Minority and Female Ownership of Mass Media Facilities*, MM Docket No. 98-43, November 25, 1998.

used JSAs and SSAs. If Mr. Williams had not had the opportunity to enter into JSAs and SSAs, he would not have been able to fulfill his lifelong dream of being a TV station owner. These shared service agreements allowed Mr. Williams to obtain access to capital that would have otherwise been unavailable to him, and that access to capital and financing are the single biggest obstacles to new entrant and minority ownership.²⁶ In Mr. Williams's experience, shared service arrangements provided the means over that obstacle, and accordingly advance diversity, open opportunity, and generally serve the larger public interest.

In its *Rules and Policies Concerning Attribution of Joint Sales Agreements in Local Television Markets (Reconsideration)*, FCC 17-156 (at ¶101), released November 20, 2017, the Commission noted, for example, that television JSAs contained ample evidence of the public interest benefits they provide. Specifically, while the Commission had made JSAs involving more than 15 percent of the brokered station's weekly advertising time attributable for ownership purposes in 2014, upon reconsideration it concluded that the potential benefits of television JSAs outweighed the public interest in attributing such JSAs (*supra*).

Based on Mr. Williams's experience with his stations in Saginaw (Flint) and Florence (Myrtle Beach),²⁷ for example, below is a list of a few examples of the types of public interest actions and service that he advanced there and plans to undertake in the communities served by the Stations:

1. increase the public affairs and local programming.
2. increase the coverage of local events, people and leaders through guests on local public affairs programs.

²⁶ See, *Whose Spectrum is it Anyway?*, FCC Office of General Counsel, released December 12, 2000, https://transition.fcc.gov/opportunity/meb_study/historical_study.pdf (visited June 30, 2018) ("small, minority- and women-owned businesses in both broadcasting and wireless telecommunications encounter[] multiple market entry barriers[, especially] discrimination in the capital markets.")

²⁷ These are the only HSH stations with shared service agreements.

3. produce and air public affairs shows hosted by Mr. Williams and covering current issues such as: Black Lives Matter, Right to Work, Small Business & Economic Development, Reducing Crime, etc.
4. hold and host town hall meetings that will be televised in prime time, to be hosted by Mr. Williams. These town halls will cover topics of local interest (previous town hall meetings Mr. Williams has hosted include: health care, domestic violence, gun violence, and the Charleston church shooting).
5. seek to obtain programs of particular interest and enjoyment to minority communities, such as *The Steve Harvey Show* and *Queen Latifah*.
6. advance minority employment and provide an internship program specifically targeted at minority students interested in the technical side of the television business.

HSH believes its proposed acquisition of the Stations promotes the public interest, advances the Commission's interest of diversifying the voices provided by over-the-air-free-to-the-home broadcasting, and advances minority ownership.

There is no basis to deny or condition grant of the Applications. The Applications contain sufficient information demonstrating that the proposed transaction will serve the public interest, and the Applications should be granted.²⁸ Indeed, Petitioners fail to cite a single case where the Commission found that a proposed ownership arrangement complied with the local ownership rules but was nonetheless contrary to the public interest.

To the contrary, the Commission has approved numerous assignments of licenses or transfers of control where the new licensee proposes to obtain specified services from another entity, often another television station operating in the same market.²⁹ In these cases, the

²⁸ As the D.C. Circuit has noted, once the Commission (or Bureau under delegated authority) is satisfied that an application satisfies the standards laid out in an assignment or transfer application, no further public interest finding is necessary. *Committee to Save WEAM v. FCC*, 808 F.2d 113, 118 (D.C. Cir. 1986) ("By requiring a proposed assignee to address the relevant facets of the public interest, convenience and necessity on the FCC Form 314, the Commission has incorporated the considerations of these issues into its application process."). The courts will not reexamine the grant based on the Commission's alleged failure to conduct a separate "public interest" inquiry. *See notes 21-22, supra; see also Office of Communications of the United Church of Christ et al. v. FCC*, No. 01-1374, 2002 WL 31496407, at **1 (D.C. Cir. Nov. 8, 2002) ("[T]he public interest inquiry is subsumed by the application process.").

²⁹ *See supra* notes 19-21 and accompanying text.

Commission found that the relationship between the licensee and the service provider preserved the licensee's control over the affected station, consistently rejecting contentions that service providers should be deemed to be in control of the station.

The great irony of the arguments of Petitioners opposing the Applications is that they claim their goal is to promote diversity of viewpoints and minority ownership, while ignoring that this is the very outcome the Applications will achieve. HSH is a licensee in good standing, and owned by a well-known and well-respected African-American broadcaster.³⁰ Transactions such as the one proposed by the Applications would increase the number of minority-owned stations and expand diversity in the ownership of television stations. Thus, at a time when a fraction of a percent of approximately 1,300 full-power commercial television stations are owned or controlled by African-American individuals, Petitioners should be supporting rather than opposing these Applications.

B. HSH's Shared Service, Joint Sales, and Option Agreements Are in the Public Interest and Consistent with Well-Settled Precedent, and HSH Will Have Ultimate Authority Over the HSH Stations

The gravamen of the Petitions (as relates to HSH) is that Sinclair, through the Services Agreements would in effect control HSH. Beyond the price HSH is paying for the Stations,

³⁰ See, e.g., Free Press Petition at 9-11; National Hispanic Media Petition at 6-7; Independent Programmer Petition at 4-6; and the Herndon Petition at 6. Each also complains mightily, yet presents no supporting evidence, that HSH is paying a below market price for the Stations and this makes the entire transaction un-grantable as a "sham" (citing Jason Schwartz, *Armstrong Williams got 'sweetheart' deal from Sinclair*, Politico (June 13, 2018), <https://www.politico.com/story/2018/06/13/sinclair-broadcasting-armstrong-williams-642997>). For argument sake only, and setting aside the fact that Petitioners offer no supporting evidence for their claim, considering HSH is 100% African-American owned and access to capital and financing are the biggest obstacles to minority ownership (see note 26, *supra*.), it is only fair to ask why, even if true, *arguendo*, Sinclair shouldn't be lauded for helping make a way to advance minority ownership and diversity and Mr. Williams respected for taking the risk?

which Petitioners claim (without support) is below market, they assert that the Services Agreements improperly grant Sinclair control of the station because Sinclair would provide the HSH Stations with technical services, promotional and marketing services, and various back-office services, market and sell television advertisements on the Stations, and provide up to 15% of the programming for the station. However, it is well established that the provision of such services are completely permissible under the Commission's ownership and attribution rules³¹ and all of the rights granted to Sinclair under the Services Agreements fully comply with current Commission policy.³² Accordingly, these criticisms are simply collateral attacks on the Commission's current ownership rules, and the reversal on reconsideration of the attribution of JSAs.³³ As discussed above, such matters may only properly be addressed through rulemaking. The attempt here by Petitioners to circumvent the proper process must be rejected and the Applications should be processed for grant.

³¹ See, e.g., *Nexstar Broadcasting, Inc.*, 23 FCC Rcd, 3528, 3535 (MB 2008) ("Shared services agreements covering technical and other back-office operations typically do not raise an issue under the Commission's attribution rules."); *WGPR, Inc.*, 10 FCC Rcd 8140, 8144 (1995) (providing engineering support is not evidence of control over the station); *TV JSA Recon Order*, ¶ 101; see also *supra* notes 19-21.

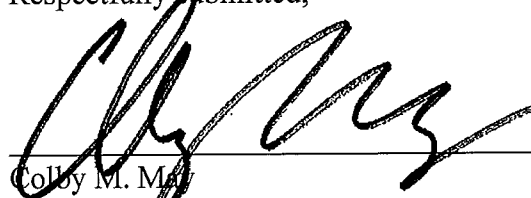
³² See *supra* notes 4-13 and accompanying text.

³³ See *TV JSA Recon Order* (¶ 101).

III. CONCLUSION

For the reasons stated above, HSH requests that the Petitions be denied and the Applications be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Colby M. May', is written over a horizontal line.

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July 2, 2018

CERTIFICATE OF SERVICE

I, Glinda Corbin, Office Manager of Colby M. May, Esq., P.C., hereby certify that on July 5, 2018, I have caused a copy of the above Consolidated Opposition be served via first-class U.S. Mail on the following:

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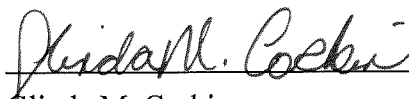
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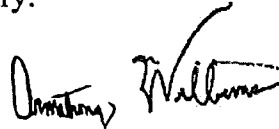
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* Sent via e-mail

Declaration

1. My name is Armstrong Williams, and I am the owner of HSH Bellevue (KUNS) Licensee, LLC, HSH St. George (KMYU) Licensee, LLC, and HSH OK City (KAUT) Licensee, LLC.
2. I have read the foregoing "Consolidated Opposition" (the "Opposition"), and I am familiar with the contents thereof.
3. The facts contained in the foregoing Opposition are true and correct to the best of my knowledge, information, and belief.
4. I make this Declaration under penalty of perjury.

A handwritten signature in black ink, appearing to read "Armstrong Williams", written over a horizontal line.

Armstrong Williams

Executed July 2, 2018