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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C.

In re Applications of	)	MM Docket No. 93-94
	)	
SCRIPPS HOWARD BROADCASTING COMPANY	)	File No. BRCT-910603KX
	)	
For Renewal of License of WMAR-TV, Baltimore, Maryland	)	
	)	
and	)	
	)	
FOUR JACKS BROADCASTING, INC.	)	File No. BRCT-910903KE
	)	
For Construction Permit for a New Television Facility on on Channel 2 at Baltimore, Maryland	)	

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Honorable Richard L. Sippel
Administrative Law Judge

RESPONSE AND PARTIAL OPPOSITION TO "MOTION TO REOPEN THE RECORD FOR THE RECEIPT OF NEW EVIDENCE RELEVANT TO INTEGRATION"

Four Jacks Broadcasting, Inc. ("Four Jacks"), by its attorneys and pursuant to Section 1.294 of the Commission's Rules, hereby responds to and partially opposes the "Motion to Reopen the Record for the Receipt of New Evidence Relevant to Integration" ("Motion") filed by Scripps Howard Broadcasting Company ("Scripps Howard") on December 9, 1993.[1/] Scripps

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1/ At the time of this filing, the United States Court of Appeals for the District of Columbia Circuit has just issued its decision in Bechtel v. FCC, No. 92-1378 (D.C. Cir. Dec. 17, 1993) ("Bechtel II"), ruling that the "integration" criterion is arbitrary and capricious. Four Jacks herein addresses Scripps Howard's Motion on its merits. Four Jacks notes, however, that the court's decision in Bechtel II is likely to render irrelevant the matters addressed in Scripps Howard's Motion.

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Howard seeks in its Motion to introduce two additional exhibits into evidence in this case: (i) proposed Scripps Howard Exhibit 33, consisting of pp. 1, 18, and 19 of an Amendment to the S-1 Registration Statement of Sinclair Broadcast Group, Inc. ("SBG") filed with the Securities and Exchange Commission on December 2, 1993; and (ii) proposed Scripps Howard Exhibit 34, consisting of the entire SBG Prospectus filed with the SEC on December 6, 1993.

1. Without conceding that Scripps Howard has in any way met the standards for reopening of the record (at p. 2, the Motion pays bare lip service to that standard without any substantive explanation), Four Jacks has no objection to the receipt into evidence of:

Pages 1 and 19 of proposed Scripps Howard Ex. 33; and

Pages 1 and 19 of proposed Scripps Howard Ex. 34.

2. Four Jacks does not object to the above-referenced pages because (i) Page 1 of the respective exhibits will facilitate identification of the documents; and (ii) Page 19 of the respective exhibits contains information making explicit to potential investors the integration pledges that Four Jacks' integrated principals have made throughout this proceeding. Four Jacks, however, vigorously opposes the substantive arguments contained in the Motion. Those arguments are essentially the same as those presented by Scripps Howard in a "Motion to Enlarge Issues and to Reopen the Record" filed concurrently with the instant Motion. Four Jacks shortly will be refuting these arguments in an Opposition to Scripps Howard's motion to enlarge the issues.

3. Four Jacks opposes the receipt of all pages of Scripps Howard's proposed exhibits other than those referenced above. Page 19 of Exhibit 33 and page 19 of Exhibit 34 are the only pages referred to in Scripps Howard's Motion. Scripps Howard has not shown that any other portions of these two SEC filings contain any relevant information that is not already in the record. Indeed, Scripps Howard -- while simultaneously proclaiming its intent "to not burden the record" by offering only three pages of the December 2, 1993 S-1 amendment (Motion at 2) -- does not even attempt to explain why all of the December 6, 1993 Prospectus should be received. Other than the two statements specifically cited in Scripps Howard's Motion, the remainder of Scripps Howard's proposed exhibits is irrelevant and/or duplicative.

In sum, Four Jacks does not object to the receipt into evidence of: (i) pages 1 and 19 of proposed Scripps Howard Exhibit 33; and (ii) pages 1 and 19 of proposed Scripps Howard Exhibit 34. To the extent the Motion seeks to introduce any other portions of these exhibits, it should be denied.

Respectfully submitted,

FOUR JACKS BROADCASTING, INC.

By: _____
Marvin R. Leader
Kathryn R. Schmeltzer
Gregory L. Masters

Its Attorneys

FISHER, WAYLAND, COOPER
AND LEADER
1255 23rd Street, N.W.
Suite 800
Washington, D.C. 20037
(202) 659-3494

Dated: December 20, 1993

CERTIFICATE OF SERVICE

I, Leslie Anne Byers, a secretary in the law firm of Fisher, Wayland, Cooper and Leader, do hereby certify that true copies of the foregoing **"RESPONSE AND PARTIAL OPPOSITION TO 'MOTION TO REOPEN THE RECORD FOR THE RECEIPT OF NEW EVIDENCE RELEVANT TO INTEGRATION'"** were sent this 20th day of December, 1993, by first class United States mail, postage prepaid, to the following:

* The Honorable Richard L. Sippel
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W., Room 214
Washington, D.C. 20554

* Robert A. Zauner, Esq.
Hearing Branch
Enforcement Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 7212
Washington, D.C. 20554

Kenneth C. Howard, Jr., Esq.
Leonard C. Greenebaum, Esq.
Baker & Hostetler
1050 Connecticut Avenue, N.W.
Suite 1100
Washington, D.C. 20036
Counsel for Scripps Howard Broadcasting Co.

* Hand Delivered

Leslie Anne Byers