

DOW, LOHNES & ALBERTSON, PLLC
ATTORNEYS AT LAW

ORIGINAL

THOMAS J. HUTTON
DIRECT DIAL 202-776-2738
thutton@dlsalaw.com

WASHINGTON, D.C.
1200 NEW HAMPSHIRE AVENUE, N.W. • SUITE 800 • WASHINGTON, D.C. 20036-6802
TELEPHONE 202-776-2000 • FACSIMILE 202-776-2222

ONE RAVINIA DRIVE • SUITE 1600
ATLANTA, GEORGIA 30346-2108
TELEPHONE 770-901-8800
FACSIMILE 770-901-8874

July 8, 1997

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: MM Docket Nos. 91-221, 87-8, 94-150, ~~92-51~~ and 87-154

Dear Mr. Caton:

On behalf of WFTV, Inc., the licensee of WFTV(TV), Orlando, Florida, enclosed is its response to the Commission's Public Notice, DA 97-1246 (released June 17, 1997). This response provides information concerning WFTV, Inc.'s October 31, 1994 Time Brokerage Agreement with Reece Associates Limited ("Reece").

1. Stations and Parties

Brokered Station: WZWY(TV) (Construction Permit), Channel 27, Orlando, Florida
Licensed to Reece

Brokering Station: WFTV(TV), Channel 9, Orlando, Florida
Licensed to WFTV, Inc.

2. Nielsen DMA

Orlando, Florida (22nd DMA)

3. Contour Overlap

Land area contour overlaps between WFTV (as licensed) and WZWY (at new site specified in pending modification application): Predicted city-grade contour overlap of 7,914 square kilometers (approximately 65% of WZWY's proposed city-grade contour area); predicted Grade A contour overlap of 11,489 square kilometers (approximately 71% of WZWY's proposed Grade A service area); and predicted Grade B overlap of 21,063 square kilometers (approximately 83% of WZWY's proposed Grade B service area).

Director, Rules and
Procedure

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4. Date of Time Brokerage Agreement

October 31, 1994

5. Term of Time Brokerage Agreement

The initial term is 5 years, beginning on the date WZWY begins program tests. Absent a prior written termination of the Time Brokerage Agreement by either party, there are three five-year renewal terms, at the option of WFTV, Inc. upon 60 days' written notice to Reece prior to the expiration of the initial term or any subsequent renewal term. The Time Brokerage Agreement provides for termination under various circumstances, including termination by either party without cause upon one year's prior written notice to the other party.

6. Percentage of Brokered Hours

None. WZWY is not operating yet. Once program tests begin, Reece has the right to program up to 4 hours per week plus such additional time as Reece may deem necessary to fulfill its obligations as a licensee. WFTV, Inc. has the right to program the station up to 164 hours per week, subject to Reece's right to preempt the programming of WFTV, Inc. pursuant to the Time Brokerage Agreement and Reece's obligations as a licensee. It has not been determined how many hours the station will operate during the week.

7. Network Affiliation

Brokered Station: None

Brokering Station: ABC affiliate

8. Nielsen Audience Share

Brokered Station: None

Brokering Station: 17 (May 1997)
18 (February 1997)
19 (November 1996)

9. Public Interest Benefits of the Time Brokerage Agreement

Although the October 31, 1994 Time Brokerage Agreement for WZWY has not yet taken effect, WFTV, Inc. has provided Reece with technical assistance in locating a new transmitter

site and obtaining governmental approvals for the new transmitter site after WZWY's original site was rejected by local zoning authorities.

The history of Reece's efforts to seek a new transmitter site and to obtain the required governmental approvals for a new site has been chronicled in extensive detail in connection with Reece's pending application to extend the WZWY construction permit (file number BMPCT-951025KO) and Reece's pending application to modify the WZWY construction permit to specify the new transmitter site. WFTV, Inc. has provided valuable technical assistance in those efforts in the form of aeronautical consulting, engineering consulting and various types of site analysis. That assistance helped WZWY obtain a site that will provide a competitive signal, conform to all Commission rules, including those concerning spacing and city-grade coverage, and receive FAA and local zoning approvals. The new site will also allow WZWY to serve relatively unserved areas, including an area with approximately 2500 residents who will receive their fifth predicted Grade B television service from WZWY. Reece recently advised the Commission that it has obtained FAA approval and local zoning approval for the site now proposed for WZWY in a pending modification application. Accordingly, action by the Commission on Reece's pending applications is the last action required for WZWY to be constructed and put into operation as Orlando's fifth commercial television station and second minority-owned television station.^{1/}

WFTV, Inc.'s programming and technical assistance not only will help WZWY initiate service, it will help the station subsequently plan for and undertake the commencement of digital television service. Accordingly, the Time Brokerage Agreement in this case will provide substantial public interest benefits both immediately and over time.

Sincerely,



Thomas J. Hutton
Counsel to WFTV, Inc.

^{1/} Reece is a limited partnership in which the general partnership interests are owned by Marsha and Rudy Reece, who are minorities.