

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

In the Matter of)	
)	
WPEC Licensee, LLC (“WPEC”), licensee of)	
WPEC(TV) (CBS), West Palm Beach, Florida)	CSR-8825-N
)	Docket No. 13-214
Petition For Waiver of Section 76.92(f))	
of the Commission’s Rules)	

MEMORANDUM OPINION AND ORDER

Adopted: January 26, 2015

Released: January 26, 2015

By the Senior Deputy Chief, Policy Division Media Bureau:

I. INTRODUCTION

1. WPEC Licensee, LLC, licensee of WPEC(TV) (CBS), West Palm Beach, Florida (“WPEC”), filed the above captioned petition¹ seeking a waiver of the rules that preclude cable operators from deleting the duplicate programming of “significantly viewed” stations under the network nonduplication and syndicated exclusivity rules (“exclusivity rules”).² WPEC is affiliated with the CBS broadcast television network and it seeks to enforce its exclusivity rights against WFOR-TV (CBS), Miami, Florida in several Florida communities where WFOR-TV is considered significantly viewed.³ No opposition to this petition has been filed. As discussed below, we grant WPEC’s Petition in part.

II. BACKGROUND

2. Upon the request of a local television station with exclusive rights to distribute a network or syndicated program, a cable operator generally may not carry a duplicating program broadcast by a distant station.⁴ Under Sections 76.92(f) and 76.106(a) of the Commission’s rules, however, a signal

¹ Petition for Special Relief by WPEC Licensee filed Aug. 23, 2013 (“Petition”).

² 47 C.F.R. §§ 76.92(f) and 76.106(a). Although not expressly requested in WPEC’s petition for waiver of Sections 76.92(f) and 76.106(a) (significantly viewed exception to cable network nonduplication and syndicated exclusivity), a waiver of Sections 76.122(j) and 76.123(k) (significantly viewed exception to satellite network nonduplication and syndicated exclusivity) would also appertain to a waiver for carriage on DBS systems based on the same showing that a station is no longer significantly viewed in the relevant community. See 47 C.F.R. §§ 76.92(f), 76.106(a), 76.122(j), and 76.123(k). See 47 U.S.C. §§ 340(a)(2) and 340(c).

³ See Petition at 1. These Florida communities, as described by WPEC are: “Del Ray Beach; Boynton Beach; West Palm Beach, Lake Park; Riviera Beach; Palm Beach Gardens; Royal Palm Beach; Wellington + Loxahatchee; Greenacres; Jupiter + Tequesta; Belle Glade; Lake Worth + Hypoluxo; Stuart; Port St. Lucie; Fort Pierce; Okeechobee; and Vero Beach.” See *id.* at Exhibit A (list of communities and the zip codes associated with each).

⁴ See 47 C.F.R. §76.92; 47 C.F.R. §76.101.

otherwise subject to deletion is exempt from application of both the network nonduplication and syndicated exclusivity rules if it is “significantly viewed” in a relevant community (the “significantly viewed exception”).⁵ The significantly viewed exception to the exclusivity rules is based on a demonstration that an otherwise distant station receives a “significant” level of over-the-air viewership in a subject community. If this viewership level is met, the station is no longer considered distant for purposes of the application of the network nonduplication rules because it has established that it is viewed over the air in the subject community. A similar exception is provided in the syndicated exclusivity rules.⁶

3. In order to obtain a waiver of Section 76.92(f), the Commission held in *KCST-TV, Inc.*⁷ that petitioners would be required to demonstrate for two consecutive years that a station was no longer significantly viewed, based either on community-specific or system-specific over-the-air viewing data, following the methodology set forth in Section 76.54(b). Section 76.5(i) of the Commission’s rules requires that for network stations to be considered significantly viewed, the survey results should exceed a 3 percent share of total viewing hours and a net weekly circulation of 25 percent, by at least one standard error.⁸ The Commission has found that this type of test is applicable as well for waivers of the syndicated exclusivity exemption.⁹

4. Since the Commission’s decision in *KCST-TV*, the methodology required by Section 76.54(b) of the rules has evolved pursuant to case law and market realities. Section 76.54(b) states in pertinent part that significant viewing “may be demonstrated by an independent professional audience survey of [over-the-air] television homes that covers at least two weekly periods separated by at least thirty (30) days but no more than one of which shall be a week between the months of April and September.”¹⁰ Over time, The Nielsen Company (“Nielsen”) became the primary surveying organization through which a petitioner could obtain television surveys. Nielsen, which routinely surveys television markets to obtain television stations’ viewership, conducts four-week audience surveys four times a year (*i.e.*, February, May, July and November “sweep periods”). The Bureau has found that replacing each week required under *KCST-TV* with a sweep period is acceptable and, if anything, adds to the accuracy of the audience statistics because of the increased sample size.¹¹ Accordingly, a petitioner may submit the results from two sweep periods in each year. For use in exclusivity waivers, a petitioner may purchase survey data from Nielsen on either a community-specific or system-specific basis.¹² If a petitioner is purchasing survey data on a

⁵ 47 C.F.R. §76.92(f); *see* 47 C.F.R. §§76.5(i) and 76.54.

⁶ 47 C.F.R. §76.106(a).

⁷ 103 FCC 2d 407 (1986).

⁸ 47 C.F.R. §76.5(i).

⁹ *See Chambers Cable of Oregon, Inc.*, 5 FCC Rcd 5640 (1990).

¹⁰ 47 C.F.R. § 76.54(b). The criteria set forth in *KCST-TV* require that two separate surveys be performed pursuant to Section 76.54(b) in consecutive years. The provisions of Section 76.54(b) therefore apply to each year’s survey. These types of surveys cannot be done by the affected television station, cable system or satellite operator.

¹¹ Although, in general, petitioners are prohibited from using two surveys between April and September (*i.e.*, May or July sweeps), we have not ruled out a petitioner providing all sweeps in a year where more than two are submitted. *See WTNH Broadcasting, Inc. and K-W TV, Inc.*, 16 FCC Rcd 6781, 6784 (2001), where the Bureau did not reject the petition because of the inclusion of both May and July data, but only concluded that, in such a case, it would be necessary to provide individual survey period results so that we could determine the effect of the third and fourth sweep periods.

¹² It should be noted that Nielsen identifies individual communities by zip codes, a process not incompatible with the surveying process discussed here.

system-specific basis where two or more communities are involved, the percent of diaries from each community surveyed must be approximately the same as the percentage of the total population for each community served by the cable system.¹³ In order to produce the data required for exclusivity waivers, Nielsen re-tabulates the over-the-air data that it collects for its routine audience sweep periods, selecting in-tab diaries from its database from the area served by a cable system or an individual cable community.¹⁴ It should be noted that, despite the fact that a petitioner is purchasing a re-tabulation of data that has already been collected, it is still obligated to notify interested parties prior to the purchase of such data, pursuant to the requirements set forth in Section 76.54(c) of the Commission's rules.¹⁵ Such notice should indicate the surveying organization, the methodology used to calculate the viewing shares (*e.g.*, a description of the process used to re-tabulate the information in an existing database), the manner in which the communities (and/or zip codes) were selected, and the survey periods used.¹⁶ Notification to interested parties before the purchase of Nielsen data allows a petitioner to correct any errors or clarify issues related to the methodology before the data are purchased and the petition is actually filed and, perhaps, avoid the filing of oppositions. Finally, we note that the manner in which surveys based on sweep periods are averaged, remains the same as for weekly surveys.¹⁷ A petitioner may therefore submit the average of the two sweep periods for each year. If, however, a petitioner submits more than two sweep periods, in addition to the average or combined audience shares for the year, it must also include the separate sweep data for each individual sweep period used. This ensures that the reported audience results data are not skewed by the choice of sweep periods.

5. WPEC states that it is submitting community-specific re-tabulations of data from The Nielsen Company to demonstrate that WFOR-TV is no longer significantly viewed in the above-mentioned Florida communities.¹⁸ The submitted audience statistics are the results re-tabulations of Nielsen's audience data for non-cable/non-ADS homes identified by zip codes.¹⁹ The submitted data are averages

¹³ 47 C.F.R. § 76.54(b). Proportionality based on population demonstrates that more weight is given to larger communities. While there must be at least one diary from each community in each survey, there is no minimum sample size since the standard error allows us to be sure that there is a high probability that the reported result meets or falls below our criteria. Because Nielsen is able to weight its sampling, they can provide such proportionality.

¹⁴ We expect petitioners who commission such data to include, along with the survey data itself, a description of the procedures used to re-tabulate the data, which database it is using, what communities (or zip codes) are covered, the station(s) surveyed, and time periods covered. Because Nielsen routinely provides this information in a cover letter along with its survey data, it is most helpful if this letter is included. That way there is no doubt that the data provided was obtained from Nielsen. *See e.g., Radio Perry, Inc.*, 11 FCC Rcd 10564, 10568-9 (1996); *Gulf-California Broadcast Company*, 21 FCC Rcd 3476, 3479-80 (2006). We further suggest that the petitioner make it clear that the data they are submitting, along with the description of methodology, are as agreed on between the petitioner and Nielsen.

¹⁵ 47 C.F.R. § 76.54(c). Section 76.54(c) states that “[n]otice of a survey to be made pursuant to paragraph (b) of this section shall be served on all licensees or permittees of television broadcast stations within whose predicted Grade B contour the cable community or communities are located, in whole or in part, and on all other system community units, franchisees, and franchise applicants in the cable community or communities at least 30 days prior to the initial survey period.”

¹⁶ *Id.*

¹⁷ Section 76.54(b) states that “[i]f two surveys are taken, they shall include samples sufficient to assure that the combined surveys result in an average figure at least one standard error above the required viewing levels. If surveys are taken for more than 2-weekly periods in any 12 months, all such surveys must result in an average figure at least one standard error above the required viewing level.”

¹⁸ *See* Petition at Exhibit B (a description of Nielsen's methodology and the survey data).

¹⁹ *See* Petition at 2-3; Exhibit B.

for two-four week audience sweep periods in each of two years. The first year survey's audience estimates come from Nielsen's February 2011 and May 2011 audience sweep data and the second year estimates are based on February 2012 and May 2012 data. These surveys satisfy the requirement described above that petitioners provide a showing of significantly viewed status for each station based on two one-week surveys, separated by at least 30 day, of non-cable/non-ADS homes conducted by an independent audience survey firm for two consecutive years.

6. For the communities for which WPEC requests a waiver, the report provided by Nielsen shows the number of households studied (*i.e.*, in-tab diaries used to derive the audience estimates), the total viewing hours share, the standard error for the total viewing hours share, the net weekly circulation share, and the standard error for the net weekly circulation share.²⁰ Based on these reported audience statistics, which are replicated in the attached Appendix I, WPEC asserts it has met its burden to demonstrate that WFOR-TV is no longer significantly viewed.²¹ WPEC states that for the majority of the communities and in all survey periods, WFOR-TV's share of total viewing hours and its net weekly circulation share are zero.²² It further claims that for the remaining communities, WFOR-TV's viewing shares also fall well below the required thresholds of a share of total weekly viewing hours in noncable homes of a 3 share, within one standard error, and a net weekly circulation share below 25, within one standard error.²³ Thus, it requests that its waiver be granted so that it may be entitled to assert its network non-duplication and syndicated exclusivity rights in the above-mentioned Florida communities.²⁴

III. DISCUSSION

7. Based upon our analysis below, we grant WPEC's petition in part and deny it in part. For some of the communities for which WPEC requests a waiver, the showing is consistent with the Commission's requirements under Section 76.54(b) and *KCST* in terms of its use of re-tabulations of Nielsen's routinely collected data to demonstrate that a station is no longer significantly viewed and entitled to a waiver of the significantly viewed exception of the network non-duplication and syndicated exclusivity protection. Accordingly, the request for waiver for these communities is granted.²⁵ For several other communities, however, the sample used for one of the years does not include sufficient households to calculate an average audience share.²⁶ And, in a number of other cases, WPEC has not submitted community-specific surveys, but has combined multiple communities with Nielsen providing audience statistics on that basis.²⁷ We deny the request with respect to these latter two categories of showings.

8. The Nielsen data for the communities of Delray Beach, Boynton Beach, Riviera Beach,

²⁰ See Exhibit B. Because of the number of communities involved, the Nielsen report is replicated in Attachment 1 to this memo.

²¹ Petition at 3.

²² *Id.*

²³ *Id.* Petitioner incorrectly states that the relevant criteria for a network station, such as WFOR-TV, in its description of the requirements for a waiver, but cites the correct thresholds when comparing the Nielsen data to the requirements provided in Section 76.5(i). See Petition at 2.

²⁴ Petition at 3.

²⁵ See Appendix I, communities designated as A. 1-10.

²⁶ See Appendix I, communities designated as B. 11-12.

²⁷ See Attachment I, communities designated as C. 13-16. These combined communities also are listed in the Petition, Exhibit A & Exhibit B.

Palm Beach Gardens, Royal Palm Beach, Greenacres, Port St. Lucie, Fort Pierce, Belle Glade, and Stuart show that in each case the reported average share of total weekly viewing hours and the net weekly circulation share for WFOR-TV is zero. Thus, for each of the two years analyzed, and for each community, WFOR-TV no longer meets the criteria for significantly viewed status for a network station (*i.e.*, a 3 share of total viewing hours and a 25 net weekly circulation share).

9. For two communities, Belle Glade and Stuart, the reported audience average for the February 2012/May 2012 period is based on only two households. In a number of decisions, including *Gulf-California*, the Bureau has made it clear that “there is no requirement that a specific number of in-tab diaries be used to calculate the average audience in a specific community in each survey period.”²⁸ We also have emphasized that “the rules for a community-specific survey only require that each community be represented in each survey”²⁹ We allow petitioners to combine two survey periods and provide average audience statistics over the two periods to increase the sample size and the reliability of the estimates. The minimum sample needed to calculate an average is two households. In the present situation of Belle Glade and Stuart, at most there could be one household included in each survey period. Thus, while the sample is minimal for these two communities, an average can be calculated and the sample would meet the requirements of the rules, if at least one household was included in each survey period.³⁰ In light of the lack of evidence to the contrary, including the fact that there were no oppositions to this petition,³¹ we assume that the reported averages are based on one household included in each of the surveys used for the reported averages. Accordingly, with respect to the communities of Belle Glade and Stuart as well as Delray Beach, Boynton Beach, Riviera Beach, Palm Beach Gardens, Royal Palm Beach, Greenacres, Port St. Lucie, and Fort Pierce, the petition for waiver is granted.

10. The submitted audience showings for Okeechobee and Vero Beach are not sufficient to demonstrate that WFOR-TV is no longer significantly viewed in these communities. In each case, for one of the survey periods, the reported audience statistics are based on only one household. Specifically the submitted reported audience share for Okeechobee for the first year (February 2011/May 2011) is based on one household, and the audience share reported for Vero Beach for the second year (February 2012/May 2012) is also based on one household. In each of these cases, the reported audience statistic reflects the viewing of only one household in one of the two listed sweep periods and is not an average over two sweep periods as is required. Thus, the request for waiver in Okeechobee and Vero Beach must be denied.

11. In four other cases, the Petitioner lists certain combined communities in Exhibit A to its Petition, and Nielsen provides audience data for these combined communities – but, in some of these cases, Nielsen provides data for certain additional communities it also lists as a part of these groupings,

²⁸ See *Gulf-California Broadcasting Company*, 23 FCC Rcd 7406, 7411 ¶ 9 (MB 2008).

²⁹ *Id.* See also *Virginia Broadcasting Corporation*, 22 FCC Rcd 18109, 18117-18 ¶¶ 12-13 (MB 2007) (denying a request for a waiver of the significantly viewed exception to the network non-duplication and syndicated exclusivity rules in communities for which the reported data for one survey year was based on one in-tab household, and thus could not be the average of the reported audience for two survey periods).

³⁰ On the other hand, if there are no in-tab households for one of the survey periods, then the process of combining surveys is contrary to our intent because the individual survey adds nothing, and the claimed average is solely the results of one survey period. This is consistent with the Bureau’s decision in *MMK License* where the petitioner submitted the separate sweep period data, although it was not required, and we disallowed the showing because for several survey periods there were no in-tab households. See *MMK License LLC*, 20 FCC Rcd 11704, 11705-7 ¶¶ 5 & 7 (MB 2005).

³¹ WPEC states that it provided notice of its survey on June 10, 2013. See Petition at 3 & n.5.

which are not listed by name as part of WPEC's petition.³² The following are the four groups of communities Petitioner lists, with Nielsen's added communities where present: (1) "West Palm Beach, Lake Park", with Nielsen adding additional data for zip codes associated with Mangonia Park, Palm Beach Shores, and North Palm Beach; (2) "Wellington + Loxahatchee"; (3) "Jupiter + Tequesta"; and, (4) "Lake Worth + Hypoluxo," with Nielsen adding additional data for zip codes associated with Lantana.³³ With one exception, Loxahatchee, each community in these groups has a CUID listed in COALS.³⁴ Section 76.54(b) of our Rules permits either a community- or system- specific survey showing. WPEC specifically requested a waiver for certain Florida communities, and the submitted data do not include a showing of proportionality as required when a petitioner requests a system-specific waiver.³⁵ To make a showing that WFOR-TV is no longer significantly viewed in these communities the Petitioner would need to provide separate data for each community to satisfy the requirements for a "community-specific" survey under Section 76.54(b) and the decision in *KCST*.³⁶ The data provided are not sufficient to demonstrate that WFOR-TV is no longer significantly viewed on an individual cable community basis, as identified by CUIDs. Accordingly, the petition must be denied with respect to these community groups.

12. Accordingly, the waiver sought by WPEC will be granted with respect to the Florida communities of Delray Beach, Boynton Beach, Riviera Beach, Palm Beach Gardens, Royal Palm Beach, Greenacres, Port St. Lucie, Fort Pierce, Belle Glade, and Stuart and denied for remaining communities.

IV. ORDERING CLAUSES

13. Accordingly, **IT IS ORDERED**, that the petition filed by WPEC Licensee, LLC, licensee of WPEC(TV) (CBS), West Palm Beach, Florida, **IS GRANTED IN PART** for the communities of Delray Beach, Boynton Beach, Riviera Beach, Palm Beach Gardens, Royal Palm Beach, Greenacres, Port St. Lucie, Fort Pierce, Belle Glade, and Stuart, and **DENIED IN PART** for the communities of Okeechobee, Vero Beach, West Palm Beach, Lake Park, Wellington, Loxahatchee, Jupiter, Tequesta, Lake Worth, and Hypoluxo.

14. This action is taken pursuant to authority delegated under Section 0.283 of the Commission's

³² Furthermore, it unclear whether there is any significance to the different listings or why some combined communities are denoted with plus signs and others are separated by commas. For example, "West Palm Beach, Lake Park" are separated by commas whereas "Wellington + Loxahatchee", "Jupiter + Tequesta", and "Lake Worth + Hypoluxo" are combined with plus signs. *Cf.* Petition Exhibits A & B.

³³ See Petition, Exhibit B.

³⁴ See *infra*, Appendix II (listing community groups where WPEC has sought a waiver along with the associated CUID and PSID numbers for these communities and groups from COALS. Loxahatchee is not listed in COALS, though it appears to be a separate community with its own zip code (33470) included in the Nielsen survey. See U.S. Postal Service, *Look Up a ZIP Code*, <https://tools.usps.com/go/ZipLookupAction!input.action> (choose "Cities by ZIP Code™" Tab, and then type in 33470) (last visited June 2, 2014).

³⁵ Petition at n. 6 ("Because WPEC LLC is submitting community specific data, rather than county or system-specific data, there is no requirement that the data provided be proportional.").

³⁶ While the combined communities in each group are part of the same systems, they do not represent the only communities served by those systems. For example, as the attached Appendix II shows, almost all the communities included in WPEC's combined community groups and all other communities covered by its waiver are all part of cable system PSID 003656 (Vero Beach and Fort Pierce are part of PSID 001616). See The FCC Cable Operations and Licensing System (COALS) database, <https://apps.fcc.gov/coals/forms/search/cableSearchNf.cfm> (after choosing the "Cable Search" option under "Search & Reporting" to search by community/system identifying numbers or names) (visited Oct. 23, 2013). Thus, the rationale for the petitioner's combination of communities is unclear. See *also supra* n. 35.

rules.³⁷

FEDERAL COMMUNICATIONS COMMISSION

Steven A. Broeckaert
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³⁷ 47 C.F.R. §0.283.

APPENDIX I

REPORTED AUDIENCE STATISTICS FOR WFOR-TV

A. Communities Where WFOR-TV is No Longer Significantly Viewed1. Delray Beach

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	3	0.00	0.00	0.00	0.00
Feb. 12/May 12	5	0.00	0.00	0.00	0.00

2. Boynton Beach

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	3	0.00	0.00	0.00	0.00
Feb. 12/May 12	6	0.00	0.00	0.00	0.00

3. Riviera Beach

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	13	0.00	0.00	0.00	0.00
Feb. 12/May 12	11	0.00	0.00	0.00	0.00

4. Palm Beach Gardens

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	9	0.00	0.00	0.00	0.00
Feb. 12/May 12	9	0.00	0.00	0.00	0.00

5. Royal Palm Beach

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	5	0.00	0.00	0.00	0.00
Feb. 12/May 12	7	0.00	0.00	0.00	0.00

6. Greenacres

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	6	0.00	0.00	0.00	0.00
Feb. 12/May 12	10	0.00	0.00	0.00	0.00

7. Port St. Lucie

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	3	0.00	0.00	0.00	0.00
Feb. 12/May 12	8	0.00	0.00	0.00	0.00

8. Fort Pierce

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	3	0.00	0.00	0.00	0.00
Feb. 12/May 12	12	0.00	0.00	0.00	0.00

9. Belle Glade

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	3	0.00	0.00	0.00	0.00
Feb. 12/May 12	2	0.00	0.00	0.00	0.00

10. Stuart

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	3	0.00	0.00	0.00	0.00
Feb. 12/May 12	2	0.00	0.00	0.00	0.00

B. Communities with Insufficient Households for Required Showing11. Okeechobee

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	1	0.00	-	0.00	0.00
Feb. 12/May 12	4	0.00	0.00	0.00	0.00

12. Vero Beach

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	5	0.00	0.00	0.00	0.00
Feb. 12/May 12	1	0.00	-	0.00	0.00

C. Showings that Include More than One Community13. West Palm Beach, Lake Park, Mangonia Park, Palm Beach Shores, and North Palm Beach

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	42	0.00	0.00	0.00	0.00
Feb. 12/May 12	48	0.00	0.00	0.00	0.00

14. Wellington + Loxahatchee

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	12	0.00	0.00	0.00	0.00
Feb. 12/May 12	17	0.00	0.00	0.00	0.00

15. Juniper + Tequesta

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	8	0.00	0.00	0.00	0.00
Feb. 12/May 12	9	0.00	0.00	0.00	0.00

16. Lake Worth + Hypoluxo, and Lantana

Survey Dates	Households Studied	Total Viewing Hours Share	Standard Error	NWC Share	Standard Error
Feb. 11/May 11	27	0.33	0.33	4.54	4.65
Feb. 12/May 12	13	0.00	0.00	0.00	0.00

APPENDIX II

<u>Community</u>	<u>CUID</u>	<u>PSID</u>
Delray Beach	FL0749	003656
Boynton Beach	FL0799	003656
Riviera Beach	FL0507	003656
Palm Beach Gardens	FL0087	003656
Royal Palm Beach	FL0466	003656
Greenacres (City)	FL0481	003656
Port St. Lucie	FL0175	003656
Fort Pierce	FL0040	001616
Belle Glade	FL0184	003656
Stuart	FL0072	003656
Okeechobee	FL0182	003656
Vero Beach	FL0041	001616
West Palm Beach; Lake Park, Mangonia Park, Palm Beach Shores North Palm Beach	FL0112 FL0084 FL0213 FL0088 FL0086	003656
Wellington Loxahatchee	FL1241 -	003656
Jupiter Tequesta	FL0214 FL0089	003656
Lake Worth, Hypoluxo Lantana	FL0108 FL0471 FL0109	003656

Source: The FCC Cable Operations and Licensing System (COALS) database, <https://apps.fcc.gov/coals/forms/search/cableSearchNf.cfm> (after choosing the “Cable Search” option under “Search & Reporting” to search by community/system identifying numbers or names) (visited Oct. 23, 2013).