Federal Communications Commission
Washington, D.C. 20554

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DA 15-347

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Mark Winslow
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In re: Crystal Cable TV Inc., Enforcement Complaint Concerning WILX-TV, Onondaga, Michigan, MB Docket No. 12-336

Dear Mr. Teslik and Mr. Winslow:

By this letter, we dismiss the Complaint initiating the above-referenced proceeding and terminate the proceeding.

On November 6, 2012, Gray Television Licensee, LLC ("Gray"), licensee of television station WILX-TV, Onondaga, Michigan, filed a Complaint against Crystal Cable TV Inc. ("Crystal") alleging retransmission without consent of the signal for WILX-TV.[1] Crystal indicated that it ceased retransmission of WILX-TV on June 28, 2012. Crystal also indicated that it would cease operations on March 1, 2013.[2]

Crystal did not cease operating on March 1, 2013, and after Media Bureau staff experienced difficulty ascertaining a definitive shut down date, a Commission field agent visited Crystal on September 23, 2014.[3] Although the channel listing provided to the field agent included WILX-

[1] Crystal Cable TV Inc., Enforcement Complaint Concerning WILX-TV, Onondaga, Michigan, MB Docket No. 12-336, filed November 6, 2012 (the "Complaint").

[2] *See* Answer to Complaint RE: Grey Television vs. Crystal Cable TV, Inc., MB Docket No. 12-336, filed Jan. 7, 2013. We note that the Answer in MB Docket No. 12-336 was timely filed as a result of the Media Bureau's tolling of the filing deadline.

[3] To the extent that any of the communications between Commission staff and Crystal described herein implicate the *ex parte* rules, this letter shall serve as notice to Gray. *See* 47 C.F.R. § 1.1204(a)(10) (exempting *ex parte*

TV, Media Bureau staff followed up with Mr. Winslow and determined that the channel listing was outdated and Crystal was not in fact carrying that station. Mr. Winslow later provided Commission staff with a draft shutdown notice, followed by the final version in which Crystal indicated that its assets had been sold and it would cease operations on November 10, 2014. Media Bureau staff confirmed that the Michigan Public Service Commission and Crystal Township both are aware of the sale of Crystal.

On March 16, 2015, Gray filed a letter requesting dismissal of the complaint in this proceeding. Gray stated that its request is made "in reliance on Crystal's representation that it no longer operates the cable system that is the subject of the above-captioned proceeding."[4]

Accordingly, IT IS ORDERED that the Complaint in the above-referenced proceeding IS DISMISSED WITH PREJUDICE and that the above-referenced proceeding IS TERMINATED. This action is taken under delegated authority pursuant to Section 0.283 of the Commission's rules.[5]

Sincerely,

Steven A. Broeckaert
Senior Deputy Chief, Policy Division
Media Bureau

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presentations that are "requested by (or made with the advance approval of) the Commission or staff for the clarification or adduction of evidence . . ."); *see also id.* Note 2 to paragraph (a) ("If the Commission or its staff dispenses with the service or notice requirement to avoid interference with an investigation, a determination will be made in the discretion of the Commission or its staff as to when and how disclosure should be made if necessary.").

[4] Letter from Derek Teslik, Counsel to Gray Television Licensee, LLC, to Marlene H. Dortch, Secretary, FCC, in MB Docket No. 12-336 (Mar. 16, 2015).

[5] 47 C.F.R. § 0.283.