



FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF GENERAL COUNSEL

# memorandum

TO: Chief, Reference Information Center  
Chief, Cable Services Bureau

FROM:  Daniel M. Armstrong  
Associate General Counsel

SUBJECT: *Costa de Oro Television, Inc. v. FCC & USA*, No. 01-1153. Filing of a Petition for Review and in the United States Court of Appeals for the District of Columbia Circuit.

DATE: April 17, 2001

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This is to advise you that, on April 2, 2001, Costa de Oro Television, Inc. ("Costa de Oro") filed a Petition for Review, pursuant to 47 U.S.C. § 402(a), of the following orders: *Definition of Markets for Purposes of the Cable Television Broadcast Signal Carriage Rules*, CS Docket No. 95-178, 14 FCC Rcd 8366 (1999) and *Order on Reconsideration*, FCC 01-71 (released March 2, 2001).

Costa de Oro owns a television station in Ventura, California. In a prior case, the Commission ruled that for purposes of cable must carry, the station was part of the Santa Barbara market, not the Los Angeles market. That decision was upheld by the D.C. Circuit. Subsequently, the Commission changed the method by which it determined markets. In the wake of that change, Costa de Oro claimed that its station should be reassigned to the Los Angeles market under the new system. The Commission declined to do so and Costa de Oro challenges that decision.

The Court has docketed this case as No. 01-1153. The attorney assigned to handle the litigation of this case is Joel Marcus.