

1 evening news in a manner that reflects the
2 many contributions, not underrepresented, not
3 misrepresented, not stereotyped. Women and
4 people of color should be owners, not just
5 consumers or leasees of broadcast media
6 services.

7 And you can certainly join me and
8 your leaders in Congress, like Senator
9 Lautenberg, in demanding that these policies
10 are implemented before and not after we change
11 the media ownership rules. So ultimately you,
12 the people of New Jersey that we're here to
13 listen to are going to have the last word
14 tonight and you should have the last word.
15 And I thank you so much for coming out, and we
16 look forward to hearing from you. Thanks for
17 being here tonight.

18 MODERATOR SIGALOS: Good afternoon
19 and welcome to this public forum on WWOR-TV's
20 license renewal being conducted by the Media
21 Bureau of the Federal Communications
22 Commission.

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1 I would like to echo the senator
2 and commissioner in thanking Rutgers
3 University for hosting this event today. My
4 name is Louis Sigalos. I am with the FCC's
5 Consumer and Governmental Affairs Bureau and I
6 will be your moderator.

7 With us also today from the Media
8 Bureau we have Monica Desai, who is the chief
9 of the Media Bureau, and Barbara Kreisman,
10 chief of the bureau's video division. We will
11 now hear opening remarks from Ms. Desai.

12 MS. DESAI: Thank you, everyone.
13 On February 1st, Fox Television Stations filed
14 an application seeking renewal of its license
15 for station WWOR-TV, Secaucus, New Jersey.
16 Thereafter, petitions to deny that application
17 were filed by Voice For New Jersey and by the
18 Office of Communications of the United Church
19 of Christ and Rainbow PUSH Coalition.

20 Among other things, petitioners
21 allege that WWOR-TV has failed to provide and
22 program service adequately meeting the issues

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1 and needs of its northern New Jersey viewers.

2 The licensee disputes that WWOR-TV's
3 programming efforts fall short of its public
4 interest obligations.

5 The Commission has not reached a
6 determination with respect to these claims.
7 Given WWOR-TV's unique program service
8 obligation stemming from Section 331 of the
9 Communications Act, the Commission has decided
10 to hold this local public forum in which the
11 public can participate and express views and
12 concerns on this matter.

13 Your input here, today, will be
14 included in the docket in the WWOR-TV renewal
15 proceeding and assist the Commission in
16 resolving the matters at issue. Thank you.

17 MODERATOR SIGALOS: Thank you, Ms.
18 Desai. It is now time to hear from our
19 invited speakers. But before we begin, I
20 would like to briefly review the ground rules.

21 Each invited speaker has been
22 allotted a specific amount of time for their

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1 comments. I will be strictly enforcing these
2 time limits to leave as much time as possible
3 for the public comment period. Please note we
4 have a timer clock right straight ahead, so
5 it's within your view. When that clock
6 actually goes down to zero, I am like a
7 machine and I politely thank you for your
8 invited comments at that point in time.

9 Because Fox's renewal application
10 for station WWOR-TV is the subject of this
11 proceeding, they will be given ten minutes for
12 their remarks. Each party present that
13 opposed the application and our other two
14 invited participants will have five minutes
15 for their statements.

16 Members of the audience, please
17 listen respectfully to the speakers even if
18 you dispute the views that they express. I
19 know that the issue we're discussing today may
20 arouse a lot of passion. But for this forum
21 to run smoothly and be successful, we need to
22 maintain basic decorum and avoid unnecessary

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1 interruptions. And for that I will thank you
2 in advance.

3 Participating as our invited
4 speakers today are Lew Leone, vice president
5 and general manager, WWOR; Donna Sandorse,
6 Voice for New Jersey; Darul Desai, assistant
7 director, Media Access Project; Ingrid Reed,
8 director, Eagleton Institute New Jersey
9 Project; Wendy White, executive director, The
10 Three Doctors Foundation. Mr. Leone?

11 MR. LEONE: Thank you. Senator
12 Lautenberg, Commissioners Copps and Adelstein,
13 thank you for the opportunity to highlight the
14 great service My9 provides to the viewers of
15 northern New Jersey.

16 Joining me today are just a few of
17 the over 200 employees that work at our
18 station in Secaucus, including our news
19 director, anchors Brenda Blackman, Harry
20 Martin, Russ Salzberg, and Audrey Puente.

21 I'd like to also thank the many
22 local community leaders who have come to

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1 support us. Please stand and be recognized
2 along with the My9 team. Our goal is to
3 provide northern New Jersey residents with
4 information to help them get through their day
5 and enrich their lives. But rather than tell
6 you what we do, let me show you who we are.

7 (Whereupon, a video recording was
8 played.)

9 MR. LEONE: My9 news is every
10 night at ten, with hourly updates weekdays
11 between four and seven. We provide
12 unparalleled coverage of northern New Jersey
13 news, as well as regional, national, and
14 international news of interest to New Jersey
15 residents.

16 My9 also provides extensive
17 political coverage from Governor Corzine's
18 budget plan, to the Keyport ban on smoking in
19 cars with children. We cover elections
20 statewide from federal to municipal races. We
21 have two weekly public affairs shows, Real
22 Talk and New Jersey Now, which include in-

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1 depth coverage of political and social issues
2 of interest to New Jersey voters.

3 In 2007, we interviewed members of
4 the Assembly, state senators, mayors, and the
5 chief of police from Montclair State
6 University, as well as community leaders,
7 educational groups, and citizens of New
8 Jersey.

9 Here's a stat to think about, and
10 you saw it in the tape, My9 airs more than
11 10,000 public service announcements a year.
12 We've been recognized with five local Emmy
13 awards in 2007 alone, and multiple awards from
14 the New Jersey Press, Associated Press.

15 My9 employees participate in
16 community events, providing hands-on
17 volunteerism and fund raising to help
18 charities throughout New Jersey. My9 runs a
19 number of training programs, including a paid
20 apprentice program, the Emma Bowen Foundation
21 for Minority Interests in Media, Job
22 Development Program; an internship program

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1 involving twenty-two New Jersey colleges,
2 including Rutgers; a mentoring program with
3 the 100 Black Men Organization.

4 While we always strive to do
5 better, I'm surprised to hear people challenge
6 our level of commitment to the viewers of New
7 Jersey. We are submitting to the FCC
8 additional documentation of the great service
9 My9 provides.

10 Today, I'm happy to tell you that
11 we've heard your concerns and have already
12 begun making changes to our website to best
13 serve New Jersey. In closing, My9 goes above
14 and beyond both on the air and behind the
15 scenes.

16 The government doesn't require us
17 to attend community events or support good
18 causes. It doesn't require us to have job
19 training programs. But we are committed to
20 New Jersey. We have spent \$11.8 million to
21 upgrade our Secaucus facility.

22 Why do we do all of this? Because

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1 our employees live and work in New Jersey.
2 They vote and spent money in New Jersey. Many
3 were born and raised in New Jersey, and went
4 to college here. Now they are raising their
5 kids in New Jersey. And they take pride in
6 doing a great job of informing and
7 entertaining their families, friends, and
8 communities.

9 My9 is, at its heart, run by
10 people, people who are as much a part of the
11 New Jersey community as anyone sitting in this
12 room. I look forward to hearing your, your
13 views. And we will all be available after
14 this hearing to talk with you. Thank you.

15 MODERATOR SIGALOS: Thank you, Mr.
16 Leone. Before I announce the next speaker,
17 there are a few empty seats if anybody wants
18 to try to filter in throughout the room. Now
19 would probably be your best opportunity.
20 There's a few seats I see over here, a few
21 scattered about there. Ms. Sandorse?

22 MS. SANDORSE: I'd like to thank

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1 the commissioners for calling this hearing and
2 coming today to hear how New Jersey residents
3 feel about the media coverage that they
4 receive from WWOR. My name is Donna Sandorse.

5 I'm a lifelong New Jersey
6 resident, a Rutgers graduate with a small
7 business, who has served on several New Jersey
8 nonprofit boards. I speak today on behalf of
9 Voice for New Jersey, a grassroots affiliation
10 of New Jersey residents founded by Leadership
11 New Jersey 2006, dedicated to improving
12 broadcast media coverage of our state.

13 I'd like to thank the Eagleton
14 Institute of Politics at Rutgers, Media Access
15 Project of the Free Press for supporting our
16 efforts, and particularly Senator Frank
17 Lautenberg and his staff. The senator has
18 been a long time champion of better media
19 coverage for our state.

20 I'd also like to acknowledge the
21 person who inspired us to take up this cause,
22 Bernard Spigner, former director of

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1 Communications for the New Jersey Sports &
2 Exposition Authority, who passed on earlier
3 this year.

4 VNJ filed a petition to deny the
5 renewal of WWOR-TV's broadcast license
6 predicated on the station's failure to meet
7 its public interest obligations to the people
8 of New Jersey. The airways are valuable
9 public property, use of which is granted free
10 of charge to broadcasters with the sole
11 requirement that they meet public interest
12 obligations.

13 There are a number of factors that
14 the Commission has historically considered in
15 evaluating a broadcaster's performance. One
16 is localism. In the FCC's own words, a
17 broadcaster has a basic responsibility to
18 contribute to the overall discussion of issues
19 confronting a community, a duty for which each
20 licensee will be held individually
21 accountable.

22 To facilitate the kind of

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1 discussion that the FCC envisions, a
2 broadcaster clearly must provide sufficient
3 news coverage to keep the public informed of
4 relevant events throughout the service area.
5 By this standard, WWOR has failed the people
6 of New Jersey.

7 First, the station provides
8 dramatically less total news coverage than any
9 of its peers in the New York metro area.
10 Second, the station has provided inadequate
11 coverage of New Jersey elections and
12 government, and virtually no local coverage of
13 some of the largest communities in the service
14 area. Third, in its branding and marketing,
15 the station has turned its back on the
16 community of license and taken on a strong New
17 York identity.

18 WWOR broadcasts only one hour of
19 news per day, not one hour of local news but
20 one total hour of news coverage, while their
21 peers to dramatically better. These other
22 stations broadcast three to seven hours of

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1 regularly scheduled news programming per day,
2 on average, more than five times the coverage
3 of WWOR. WWOR has failed to allocate
4 sufficient time for such coverage to be
5 presented.

6 This leads quite naturally to our
7 second point, WWOR's appalling lack of news
8 coverage of some of New Jersey's largest
9 communities. Here, I'll point to information
10 in the station's own quarterly issues and
11 programming reports, which while not
12 comprehensive, these reports by FCC definition
13 present the licensee's most significant
14 programming treatment of community issues.

15 New Jersey's six largest
16 communities all fall within WWOR's service
17 area. Any station meeting the public service
18 obligations would of necessity provide
19 substantial news coverage in such large
20 population centers.

21 While the sixty-three New York
22 based news stories that they have identified

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1 during the fifteen-month period from January
2 1st, 2006, to March 31st, 2007 are hardly
3 adequate, New Jersey's next five largest
4 municipalities do dramatically less well.

5 For example, they report only
6 thirteen New Jersey city stories, that's less
7 than one per month; eight Patterson news
8 stories, or one story every two months; and
9 only two Elizabeth news stories, one story
10 every seven months. Half of these stories
11 were crime and non-issue related.

12 It is our position that WWOR's
13 news coverage in these major cities is so
14 minimal as to constitute complete abdication
15 of the station's responsibility to, again in
16 the FCC's own words, contribute to the overall
17 discussion of issues confronting the
18 community.

19 Finally, we take exception to the
20 station's ongoing failure to identify itself
21 with its community of license. Our analysis
22 of their news coverage clearly shows their New

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1 York bias. Of the less than 10 hours of news
2 coverage identified in their issues and
3 program reports in the first three quarters of
4 2006, a scant 2.7 hours was dedicated to New
5 Jersey, while 4.7 was dedicated to New York
6 stories, over 77 percent more broadcast time.

7 Identification with New York
8 permeates their marketing branding. The
9 station's website, My9NY.com, shows the
10 Manhattan skyline and the words "New York" at
11 the top of the page. In the lobby of the
12 station's Secaucus headquarters, visitors are
13 greeted by a large My9NY poster, promoting the
14 station's news program with the words "Your
15 Neighborhood, Your News" over the Manhattan
16 skyline.

17 The Commission has long recognized
18 New Jersey's unusual position with respect to
19 media coverage. This densely populated state
20 would, if analyzed independently, be the
21 fourth largest media market in the nation.
22 Yet, because of its location between the

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1 dominant New York and Philadelphia markets,
2 there is only one VHF commercial television
3 station licensed within its borders.

4 Over twenty years ago, the
5 Commission designated the license to serve the
6 public interest of New Jersey. As such, the
7 people of New Jersey are entitled to expect a
8 high level of service from its holder.

9 WWOR does not measure up and we
10 have amply demonstrated it has consistently
11 failed to fulfill even the bare minimum of its
12 public interest obligations. We urge the
13 Commission to act decisively to provide the
14 people of New Jersey with the broadcast media
15 coverage they deserve.

16 MODERATOR SIGALOS: Thank you, Ms.
17 Sandorse. Ms. Desai?

18 MS. DESAI: Thank you. I am with
19 Media Access Project, I am also here to
20 represent United Church of Christ and Rainbow
21 PUSH Coalition. Growing up in New Jersey, in
22 Clifton, New Jersey, I, like many of my peers,

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1 identified myself with New York.

2 This was naturally the result of
3 what I saw on TV. I knew plenty about Mayor
4 Koch and Mayor Dinkins, as well as the clean
5 up taking place on 42nd Street. On the other
6 hand, while I knew Thomas Kean was my
7 governor, I knew very little about my city's
8 mayor or my own state senators.

9 Coverage of New Jersey didn't get
10 any better during my years at Rutgers and New
11 York law school, at which time I was actually
12 able to vote. With my New Jersey driver's
13 license, I could not participate in New York
14 politics; yet, I could not rely on the local
15 TV stations to inform me as to why I should
16 care about local elections taking place in New
17 Jersey.

18 How then could I, like many other
19 residents of New Jersey, feel compelled to
20 actively participate in or care about local
21 issues and elections? As I continue to spent
22 a considerable amount of time in my hometown,

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1 where my parents have lived for almost forty
2 years now, it's obvious that little has
3 changed.

4 This type of coverage becomes
5 especially important because, as a 2006 study
6 shows, a majority of Americans watch and rely
7 on their local newscasts for news and
8 information. That is, that is why it is so
9 critical that Channel 9 live up to its
10 obligation to serve New Jersey; otherwise, how
11 can New Jersey residents be expected to
12 participate in local elections and make
13 informed decisions without adequate coverage
14 of candidates' positions on issues, or how can
15 New Jersey residents become aware of or
16 understand the impact of decisions being made
17 by local governments without coverage and
18 analysis of these decisions?

19 Unlike the other stations in this
20 market, Channel 9 has a specific and special
21 obligation to serve northern New Jersey. As
22 we have heard, this obligation did not come

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1 about by accident. Since the 1980's, the
2 intent of the law has been to ensure that
3 Channel 9 is responsive and attentive to the
4 needs of New Jersey residents in a consistent
5 and thorough basis.

6 While ownership of Channel 9 has
7 changed over the years, this obligation to
8 serve New Jersey has not changed. While
9 Channel 9 is quite properly afforded some
10 discretion as to how and whether to address
11 certain issues, that discretion is not
12 absolute. The law is clear, Channel 9 is not
13 entitled to a renewal if it has abused this
14 discretion. As VNJ has demonstrated, the lack
15 of coverage of issues and politics of concern
16 to New Jersey residents is a gross abuse of
17 discretion which is not compatible with
18 Channel 9's most fundamental obligation to
19 serve New Jersey.

20 While Channel 9 has an obvious
21 economically driven preference for being
22 perceived as a New York based station, it is

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1 now up to the Commission to ensure that
2 Channel 9 does not shortchange the residents
3 of New Jersey. Localism is one of the basic
4 elements the Commission looks at in
5 determining whether a license renewal is
6 warranted.

7 The Supreme Court has also
8 emphasized the right of the public to receive
9 suitable access to social, political,
10 economic, and other ideas. That means New
11 Jersey residents are entitled to adequate
12 coverage of issues and news relevant to them,
13 and they are just not getting it.

14 Unfortunately, in other renewal
15 challenges, the Commission has failed to serve
16 the public interest. The Commission has often
17 turned its back on localism and decided that
18 the First Amendment somehow precludes the
19 Commission from reviewing the broadcasted
20 editorial discretion.

21 However, the law requires the
22 Commission to also consider the absolute right

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1 of the viewers to receive programming
2 responsive to the needs of their local
3 community. While the Commission has made it a
4 habit to blindly renew licenses, Channel 9
5 presents an easy and simple case where the
6 Commission simply cannot renew the license of
7 Channel 9 without further scrutiny.

8 Based on the evidence provided by
9 VNJ and the obvious branding of Channel 9 as a
10 station dedicated to New Yorkers, the
11 Commission cannot seriously conclude that
12 Channel 9 broadcasts in the interest of New
13 Jersey residents. Channel 9's license has
14 also been challenged because Fox Television's
15 ownership of Channel 9 is an outright
16 violation of the Commissions rule prohibiting
17 one entity from owning a TV station and a
18 newspaper in the same market.

19 In this case, that rule prohibits
20 Fox from owning Channel 9 and the New York
21 Post. In fact, Fox has been in violation of
22 the rule since 2001. Despite promising to

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1 come into compliance with the rule, after six
2 years, Fox has instead tried to skirt the
3 rule. For this reason, United Church of
4 Christ and the Rainbow PUSH Coalition have
5 asked the Commission to deny the license
6 renewal.

7 The Commission has the obligation
8 to conclude that an automatic renewal would be
9 a disservice to the residents of New Jersey.
10 Instead, the Commission must further
11 scrutinize the service provided by Channel 9
12 and determine whether the license should be
13 renewed or whether additional conditions are
14 warranted.

15 To do otherwise would be a
16 disservice to New Jersey and to send a clear
17 message to the residents of New Jersey that
18 the Commission is just not serious about
19 making sure that Channel 9 keeps its promise
20 to serve New Jersey. Thank you, senator and
21 commissioners, and Media Bureau.

22 MEDIATOR SIGALOS: Thank you, Ms.

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1 Desai. Ms. Reed?

2 MS. REED: Let me express my
3 appreciation to the commissioners and to the
4 Commission staff for holding this public forum
5 today on an issue of great importance to the
6 State of New Jersey. And I want to thank
7 Senator Lautenberg for his continued long-term
8 and enthusiastic commitment to this problem.

9 While this hearing has a specific
10 focus on the renewal of the license of WWOR-
11 TV, it fits into a much larger context for our
12 state, a context that has a long history. It
13 is one that has had a profound effect on our
14 governance and the participation of our
15 citizens in elections and in civil life more
16 broadly.

17 Specifically, it's New Jersey's
18 reliance on New York City and Philadelphia for
19 television coverage of its politics and
20 governance. It is now legendary. I grew up
21 in Vineland, in southern New Jersey, and
22 watched only Philadelphia stations. I now

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1 live in Princeton and rely on New York City
2 stations. And so it goes.

3 WWOR-TV located since the mid
4 1980's in the northern most populous part of
5 our state was a welcomed and I might add hard
6 fought addition to this fragmented television
7 service, and there were high hopes of what it
8 would bring.

9 But even now, our government and
10 every presentation about the problems facing
11 the state, its citizens, elected officials,
12 and civil leaders has the lack of a television
13 station with the primary focus on covering our
14 state cited as the main reason for our lack of
15 cohesion, identity, and knowledge about
16 ourselves.

17 This is especially troubling since
18 there is widespread grievant that people rely
19 mainly on television for their news. So what
20 do we know about what they get to see?
21 Eagleton decided to collect data to accurately
22 present the television coverage available to

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1 us when we, in effect, rely on the kindness of
2 strangers for understanding ourselves and New
3 Jersey's public affairs.

4 We first studied the coverage of
5 television evening news in the month of
6 October for the 2005 gubernatorial campaign,
7 and we're continuing that study now and will
8 have information out on 2006 and '07 in the
9 spring. I thought it would be helpful in this
10 forum to highlight some relevant data we
11 collected about WWOR-TV, our New Jersey
12 station, in the context of eleven other
13 stations in the study, four in New York, four
14 in New Jersey, and two cable and public
15 television in New Jersey.

16 WWOR-TV showed thirteen election
17 stories in their evening news during the
18 thirty days before the election, ten of the
19 stories were about New Jersey or sixty-seven
20 percent. WWOR-TV had the second least stories
21 when compared to the four New York stations
22 that presented a total of seventy-nine stories

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