

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

\_\_\_\_\_)  
In the Matter of )  
 )  
Broadcast Localism ) MB Docket No. 04-233  
 )  
 )  
 )  
\_\_\_\_\_)

**COMMENTS OF THE WALT DISNEY COMPANY**

Susan L. Fox  
Vice President  
The Walt Disney Company  
1150 17<sup>th</sup> Street, N.W., Ste. 400  
Washington, D.C. 20036  
(202) 222-4780

John W. Zucker  
Senior Vice President  
ABC, Inc.  
77 West 66<sup>th</sup> Street  
New York, NY 10024  
(212) 456-7387

April 28, 2008

## EXECUTIVE SUMMARY

In this proceeding, the Federal Communications Commission (“FCC” or “Commission”) seeks comment on proposed changes to certain of its rules to enhance broadcast localism. In these comments, The Walt Disney Company (“TWDC”) submits that further FCC action to promote localism is unwarranted, and would be fraught with both practical and legal challenges.

As an initial matter, and to be clear, each of our stations is committed to serving its local community, separate and apart from any regulatory requirement or proposal. It also warrants stressing at the outset that, as discussed further herein, many of the Commission’s proposals raise serious constitutional questions.

TWDC will comment on many of the specific localism proposals raised by the Commission, with one central theme— additional regulation ostensibly designed to promote localism is unwarranted and would in many cases reduce the wide range of localism initiatives currently implemented by many broadcast stations. Although the FCC concluded that additional regulation is needed to “promote localism and diversity,” TWDC submits that adoption of the very proposals suggested by the Commission to promote these admirable objectives will not improve broadcasters’ already serious commitment to localism and diversity. Instead, new “one size fits all” federal regulations that specify how stations are to serve their local community will replace the local judgment of station managers as to how to achieve that goal. Such an approach is counter to the very notion of localism and, not surprisingly, raises very substantial constitutional questions.

Moreover, although the FCC maintained throughout the *Localism Report and NPRM* that it does not intend to reinstate formal ascertainment requirements because such requirements “imposed specific and detailed formal procedures,” the FCC seeks comment on that very question, *i.e.*, whether “the former ascertainment guidelines [should] be a starting point to identify those various segments in the community with whom the licensees should consult.” *See Localism Report and NPRM*, at paras. 16 and 26. As can be seen by the myriad of detailed questions asked by the FCC in the *Localism Report and NPRM*, any of the considered localism regulations inevitably would lead the FCC to create regulations that micro-manage the local decisions made by stations as to how to serve their communities best. Moreover, compliance with, and enforcement of, those regulations would require stations to create and maintain a massive amount of paperwork, electronic or other records that would easily rival and likely exceed the former burdens of ascertainment. Indeed, we respectfully submit that there is little distance between the FCC’s former ascertainment guidelines and the

very FCC regulations considered or proposed in the *Localism Report and NPRM*.

In light of TWDC's commitment to localism, TWDC strongly believes that any additional regulation to encourage localism is unnecessary and potentially harmful to the public interest. Our stations determine how best to serve their local communities through local management and local decisions. As demonstrated in these comments, and in Appendix B hereto, the stations' localism efforts are diverse and varied, ranging from weekly programs to specials, focusing on minority groups as well as children, and providing any number of local groups and non-profit organizations with support and media access. Given the nature and extent of these localism initiatives, there is no need for FCC regulation. Moreover, any additional FCC regulation would only restrict the flexibility broadcast stations currently have in serving their local communities.

As the Commission concluded when it *repealed* its ascertainment regulations, "we believe that licensees become and remain aware of the important issues and interests in their communities for reasons wholly independent of ascertainment requirements, and that our existing procedures are, therefore, neither necessary nor, in view of their significant costs, appropriate."<sup>1</sup> As described in these comments, this conclusion remains true today and there is no basis for the Commission to reverse course and come to a contrary conclusion.

---

<sup>1</sup> In the Matter of the Revision of Programming and Commercialization Policies, Ascertainment Requirements, and Program Log Requirements for Commercial Television Stations, MM Docket No. 83-670, 98 FCC 2d 1076, at para. 48 (rel. Aug. 21, 1984).

TABLE OF CONTENTS

EXECUTIVE SUMMARY ..... i

TABLE OF CONTENTS ..... iii

I. INTRODUCTION ..... 2

II. TWDC’S LOCALISM INITIATIVES ARE EXTENSIVE AND VARIED ..... 4

    A. Local Television News ..... 4

    B. Summaries of Localism Initiatives ..... 7

III. THE FCC’S PROPOSALS IN THE *LOCALISM REPORT AND NPRM* ARE NOT NECESSARY TO PROMOTE LOCALISM —AND POTENTIALLY WILL REDUCE THE WAYS THAT STATIONS CURRENTLY SERVE THEIR LOCAL COMMUNITIES ..... 8

    A. Local broadcast stations are the best-positioned to determine how to obtain input from their communities ..... 8

        1. FCC-regulated community advisory boards are not the best means to ascertain community needs in all localities ..... 9

        2. Other proposals to ascertain community needs also are unlikely to uniformly serve the needs of every local broadcast station ..... 10

    B. Broadcast stations presently provide substantial amounts of community-responsive programming and Commission attempts to regulate programming through renewal processing guidelines are unnecessary and inappropriate ..... 13

        1. The ABC Owned Television Stations regularly broadcast programming responsive to community needs ..... 13

        2. The ABC Owned Television Stations are active in their local communities ..... 16

        3. TWDC’s television and radio stations are committed to providing viewers with coverage of local sports events ..... 17

        4. Renewal processing guidelines raise serious constitutional concerns and likely will impose significant delays in an already lengthy renewal process and otherwise overwhelm already scarce Commission resources ..... 20

    C. Revisions to the Main Studio Rule are unnecessary ..... 23

    D. Modifications of the FCC’s long-standing political programming rules are not supported by the record and likely would raise significant constitutional questions ..... 25

E.	The ABC Owned Television Stations consistently broadcast programming to take into account the needs of all viewers, including traditionally underserved audiences .....	28
F.	The ABC Owned Television Stations are dedicated to providing viewers with emergency information .....	30
G.	Adoption of a mandatory right-to-advance-review for network affiliates is unnecessary .....	32
IV.	CONCLUSION .....	33

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

	)	
In the Matter of	)	
	)	
Broadcast Localism	)	MB Docket No. 04-233
	)	
	)	
	)	
	)	

**COMMENTS OF THE WALT DISNEY COMPANY**

The Walt Disney Company (“TWDC”) files these comments on behalf of the ABC Owned Television Stations, The ABC Television Network, the Disney Owned Radio Disney Stations, and the TWDC Owned ESPN Radio Stations. These comments are submitted in the above-captioned proceeding of the Federal Communications Commission (“FCC” or “Commission”) in response to the FCC’s Notice of Proposed Rulemaking and Report on Broadcast Localism (“*Localism Report and NPRM*”).<sup>2</sup>

---

<sup>2</sup> In the Matter of Broadcast Localism, *Report on Broadcast Localism and Notice of Proposed Rulemaking*, 23 FCC Rcd 1324, MB Docket No. 04-233 (rel. Jan. 24, 2008).

## I. INTRODUCTION

The ABC Owned Television Stations. TWDC is the ultimate corporate parent of the following ten commercial television stations (collectively, the “ABC Owned Television Stations”): WABC-TV, New York, New York (“WABC”), KABC-TV, Los Angeles, California (“KABC”), WLS-TV, Chicago, Illinois (“WLS”), WPVI-TV, Philadelphia, Pennsylvania (“WPVI”), KGO-TV, San Francisco, California (“KGO”), KTRK-TV, Houston, Texas (“KTRK”), KFSN-TV, Fresno, California, (“KFSN”), WTVD(TV), Raleigh-Durham, North Carolina (“WTVD”), WJRT-TV, Flint, Michigan (“WJRT”) and WTVG(TV), Toledo, Ohio (“WTVG”).

Each of the ABC Owned Television Stations themselves are operated locally. The ABC Owned Television Stations are committed to localism, separate and apart from any FCC regulation. Even among these ten stations, there are diverse methods employed to suit local needs. These comments highlight only a few of the ways in which the ABC Owned Television Stations operate in the local interest and the extensive attachments to these comments represent only a sampling of the stations’ localism efforts.

Radio Disney. TWDC also is the ultimate corporate parent of the 41 Disney Owned Radio Disney Stations.<sup>3</sup> Almost all of the Disney Owned Radio Disney Stations are on the AM dial, and all are part of a unique kids-focused radio service. Radio Disney is the only over-the-air radio service that directs its programming to kids, tweens, and families, thus providing a vital and unique resource in each community in which it is offered. It has won Radio Ink's "Reader's Choice Award" and the 2005 Silver Angel Award for excellence in programming.

ESPN Radio. In addition, TWDC is the ultimate corporate parent to the following five commercial radio stations (collectively, the "TWDC Owned ESPN Radio Stations"): WEPN(AM), New York, New York ("WEPN"), KSPN(AM), Los Angeles, California ("KSPN"), WMVP(AM), Chicago, Illinois ("WMVP"), KESN(FM), Allen, Texas, serving the Dallas market ("KESN"), and WEAE(AM), Pittsburgh, Pennsylvania ("WEAE"). These five radio stations air a mixture of national and local sports programming. ESPN also operates ESPN Radio, the country's largest sports radio network. ESPN Radio programming is available to U.S. troops in more than 175 countries and U.S. territories through American Forces Networks.

\*\*\*\*\*

---

<sup>3</sup> For a complete listing of the Disney Owned Radio Disney Stations, see Ownership Report of The Walt Disney Company, at Exhibit 3, *e.g.*, FCC File No. BOA-20071001BFF.

ABC strongly believes that any additional regulation to encourage localism is unnecessary and potentially harmful to localism. Our stations – and the stations run by our competitors -- determine how best to serve their local communities through local management and local decisions. Below, we offer examples of our stations’ diverse and varied localism efforts, ranging from many hours of daily local news to weekly programs to specials, as well as community efforts that provide local groups and non-profit organizations with support and media access. Given the nature and extent of these localism initiatives, and similar efforts by other broadcasters in communities across the country, there is no need for FCC regulation. Indeed, any additional FCC regulation would only restrict the flexibility stations currently have in serving their local communities.

## **II. TWDC’S LOCALISM INITIATIVES ARE EXTENSIVE AND VARIED**

### **A. Local Television News**

The *Localism Report and NPRM* devotes little attention to the most fundamental manner in which local television’s presence is felt in their communities – the local news on our stations. The ABC Owned Television Stations are committed to being the leading source for local television news in their communities. Each of the ten ABC Owned Television Stations provides, on average, over 32 hours of local news programming per week and approximately 2.5 hours of other regularly-scheduled local programming. By way of example, KTRK annually produces more than 2,000 hours of local

news, coupled with 100 hours of regularly-scheduled, locally-produced programs, and more than 70 hours of local specials and community special event programming. WLS produces over 70 local programs and specials every year. The specific amount of local news for each station is listed on a chart attached to these comments as Attachment A.<sup>4</sup>

The local news carried by our stations is not restricted to the half-hour or hour long newscast. The ABC Owned Television Stations also are committed to providing breaking news. Just last October, KABC preempted scheduled programming to air more than 40 hours of commercial-free coverage of the California fires. KABC's coverage of the California fires included the use of two helicopters, live Doppler radar, and an online Google map to pinpoint fire-specific information. This live on-air coverage was coupled with massive amounts of fire-specific online content. Over the three major days of the fires, KABC's web site received 12 million page views, 1.5 unique visitors, 500,000 views of KABC's Google location-specific map, 300,000 views of the evacuation information, and 300,000 views of KABC's live streaming video. Governor Schwarzenegger wrote to KABC that, "[w]e can say with absolute certainty that, as difficult and heartbreaking as the

---

<sup>4</sup> Of course, all the local news and local programming provided on the ABC Owned Television Stations is in addition to the substantial news programming provided by The ABC Television Network, including World News Tonight, Good Morning America (including a weekend edition), Nightline, World News Now, 20/20, and Prime Time Live.

past several days have been, they would have been even more so without your generosity. KABC's hugely valuable reporting and related information meant the world to evacuees who, in many case, had little left but questions.<sup>5</sup> Another recent example of local breaking news preemptions of scheduled programming (in this case both ABC daytime programming and station-produced local programming) was on KGO. On April 6, 2008, KGO interrupted regularly-scheduled programming to air three hours of commercial-free coverage of the Olympic Torch Relay, which was marked with street closures, protests, and last-minute re-routing.<sup>6</sup>

Like many other stations across the country, the ABC Owned Television Stations are using their DTV spectrum to better serve their local viewers by providing additional local programming, including weather, news and local sports. Although each station employs its spectrum differently, all of the ABC Owned Television Stations operate a digital channel (D3) that offers 24-hour-a-day, seven-day-a-week weather reports through "AccuWeather Now." The ABC Owned Television Stations also operate a D2 channel that they program at the local level, often with news or other local coverage. For example, KGO-DT Plus is a second digital channel that airs

---

<sup>5</sup> Letter from Governor Arnold Schwarzenegger to Arnie Kleiner, attached as Attachment C.

<sup>6</sup> KGO also has preempted ABC network prime-time programming for breaking news, including for the first-ever gubernatorial recall election of California's Governor Gray Davis.

extended coverage of breaking news reports in the San Francisco area, additional local programming like Commonwealth Club programs,<sup>7</sup> simulcasts and repeats of local broadcasts and network news programs, and syndicated material. Another example is that WPVI uses D2 to air broadcasts of high school football.

### **B. Summaries of Localism Initiatives**

Attached to these comments as Attachment B are summaries prepared (locally) by each of the ABC Owned Television Stations of their local initiatives. These summaries describe only a portion of what the ABC Owned Television Stations do within their local community, and represent a snapshot of approximately the last year. The ABC Owned Television Stations prepared similar summaries that were submitted in the record of the FCC's previous Notice of Inquiry and TWDC asks that that the efforts described on those summaries be incorporated into the record in this proceeding.<sup>8</sup>

---

<sup>7</sup> ABC7 airs select Commonwealth Club programs on digital channel KGO-DT Plus and also has these programs available streaming online at abc7news.com. The Commonwealth Club of California is the nation's oldest and largest public affairs forum. Topics range across politics, culture, society, and the economy.

<sup>8</sup> See Comments of The Walt Disney Company, MB Docket 04-233 (filed Nov. 1, 2004).

**III. THE FCC’S PROPOSALS IN THE *LOCALISM REPORT AND NPRM* ARE NOT NECESSARY TO PROMOTE LOCALISM —AND POTENTIALLY WILL REDUCE THE WAYS THAT STATIONS CURRENTLY SERVE THEIR LOCAL COMMUNITIES**

In the *Localism Report and NPRM*, the Commission asked for comment on various categories of local initiatives.<sup>9</sup> Several of these categories are addressed below, together with a few examples from Attachment B, to give a sense of the variety and depth of how the TWDC stations operate in each of these areas. From even the most cursory review of our stations’ localism commitments, one thing is clear—each of our stations is committed to the common goal of serving its local community. But our stations do not follow a “one size fits all” approach. To the contrary, the decisions as to how to interact with and serve any given local community are made at the local level, by local management. We submit that the FCC should decline to regulate the manner in which these local decisions are made.

**A. Local broadcast stations are the best-positioned to determine how to obtain input from their communities**

The FCC seeks comment in the *Localism Report and NPRM* on how to “further licensee-community communication and identification of community

---

<sup>9</sup> See, e.g., *Localism Report and NPRM*, at paras. 16-29 (Communication Between Licensees and Their Communities), 40-55 (Nature and Amount of Community-Responsive Programming), 67-69 (Political Programming), 73-81 (Underserved Audiences), 87-88 (Disaster Warnings), 95-97 (Network Affiliation Rules), and 122-125 (License Renewal Procedures).

needs and interests.”<sup>10</sup> TWDC respectfully submits that each station achieves this goal through different and varying means.

1. FCC-regulated community advisory boards are not the best means to ascertain community needs in all localities

The *Localism Report and NPRM* tentatively concludes “that each licensee should convene a permanent advisory board made up of officials and other leaders from the service area of its broadcast station.”<sup>11</sup> Certain of the ABC Owned Television Stations already maintain local advisory committees, including WPVI and WTVD.<sup>12</sup> Although several of our stations already maintain local advisory committees as one of their chosen methods of interacting with the communities, we submit that convening an advisory committee should not be required by the FCC, for several reasons.

First, as stressed above, different station managers may determine that they would rather interact with their local communities through other means, like those stations (including those discussed later) that hold regular

---

<sup>10</sup> *Localism Report and NPRM*, at para. 16.

<sup>11</sup> *Localism Report and NPRM*, at para. 26.

<sup>12</sup> WTVD has a Minority Advisory Committee whose primary responsibility is to keep the station aware of the needs and concerns relating to the minority viewing audience, specifically in the areas of quality programming and equal opportunity. This committee has been operating since 1971, and provides the station with an additional link to the many diverse communities within our viewing area. WPVI created the Community Advisory Board, originally known as the Minority Advisory Board, in 1975 in conjunction with The Black Media Coalition, The Philadelphia Urban Coalition and The Puerto Rican Communications Coalition.

public meetings, town halls, and focus groups.<sup>13</sup> Requiring a station to convene advisory boards when that local station has found that its local community prefers a different approach would be antithetical to the very notion of localism.

Second, as illustrated by the detailed questions asked by the FCC in the *Localism Report and NPRM*, a requirement that stations convene an advisory board inevitably would lead the FCC to become involved in endless and unproductive questions about how such boards would be run, *e.g.*, how many members, who would be members and how would they be selected, how often would it meet, etc. Moreover, although the FCC states its reluctance to reinstate formal ascertainment, which “imposed specific and detailed formal procedures,” the FCC nevertheless asks whether “the former ascertainment guidelines [should] be a starting point to identify those various segments in the community with whom the licensees should consult.”<sup>14</sup> We respectfully submit that there is little distance between the FCC’s former ascertainment guidelines and FCC regulation of a station’s community advisory board.

2. Other proposals to ascertain community needs also are unlikely to uniformly serve the needs of every local broadcast station

---

<sup>13</sup> See *infra* at Section III.A.2.

<sup>14</sup> *Localism Report and NPRM*, at paras. 16 and 26.

The FCC also seeks comment on a number of related suggestions as to how to promote localism, including requirements that stations (1) conduct listener/viewer surveys, (2) convene town hall meetings, and (3) have their management sit on boards and community councils.<sup>15</sup> As with the notion of FCC-mandated community advisory boards, these methods of serving a community are already implemented by many stations, but with any number of variations.

Here are a few examples of the manner in which the ABC Owned TV Stations interact with their communities:

- KGO “ABC7 Listens”
  - Public Meetings are held once a month in a different city in the coverage area. Stakeholders in the community and the general public are invited. The meetings are heavily promoted on air. Anyone attending may sign up to speak on any topic for up to three minutes. The station’s news management, a news anchor or reporter, and the VP of Public Affairs attend. Countless news stories have originated from these meetings.
  - On-Air Campaign consists of promotional announcements and mentions in KGO newscasts informing viewers how to reach the station through letters, phone calls, emails or by attending the public ABC7 Listens meetings.
  - ABC7 Listens Poll is an ongoing series of polls conducted through the station website, ABC7News.com. Polls are used to gauge interest in topics and garner opinions and reactions. For example, in past elections, the station has contacted poll participants and interviewed them for stories and even created a voters’ group that was followed during the California Gubernatorial recall election.

---

<sup>15</sup> See *Localism Report and NPRM*, at para. 27.

- Taking Action is a segment of the station website, promoted on-air, that evolved from ABC7 Listens. The Taking Action pages of the website give viewers the information needed for them to take action on stories. Local, state, and national politicians' contact information is available on these pages.
- KABC
  - Town Hall Public Meetings are held in communities that reflect the great diversity of Southern California. At every meeting, the station is represented by the President and General Manager, the Vice President of News, the Vice President of Programming, the Vice President for Diversity and Community Relations and the Director of Public Affairs. These meetings have generated important news stories, as well as programming specials about the communities where the meetings were held.
  - Community Involvement. KABC management and staff also volunteer hundreds of hours of personal time in the community, serving on boards or advisors to groups such as Children's Hospital of Los Angeles, Mexican American Legal Defense and Education Fund, Padres Contra el Cancer, Southern Christian Leadership Conference/Martin Luther King Legacy Foundation, Girls Inc., Women's Care Cottage, Asian Pacific American Legal Center, Entertainment Industry Foundation, PUENTE Learning Center, Para Los Ninos, MEND (Meeting Each Need with Dignity), American Cancer Society, Latino Theatre Company, Black Infant Health Program, Women at Work, and Good Shepherd Center for Homeless Women.
- WJRT conducts quarterly focus group meetings with community members to determine issues of interest to the community.
- KTRK organizes meetings in various communities to better understand the concerns facing those residents. In addition, more than 75% of KTRK employees donate personal time volunteering in the community, serving as emcees or guest speakers for charitable events, or serving on advisory boards of local organizations.

We submit that each of these methods of interacting with a local community is worthwhile and that the decision about which method or methods to employ is best left to a local station, and not to be specified by the FCC. FCC regulation of this field would inevitably result in an already over-

burdened FCC being overwhelmed with regulating the details of a station's local interaction with its community. Moreover, it a well-accepted fact that stations in smaller or rural markets will have fewer resources than stations in larger markets and it would be nearly impossible for the FCC to craft a regulation that accommodates these well-accepted resource constraints.

TWDC submits that the FCC would be better served by declining to regulate such matters, especially given TWDC's and other broadcasters' already extensive efforts in this area.

**B. Broadcast stations presently provide substantial amounts of community-responsive programming and Commission attempts to regulate programming through renewal processing guidelines are unnecessary and inappropriate**

1. The ABC Owned Television Stations regularly broadcast programming responsive to community needs

Every one of the ABC Owned Television Stations airs programming on a daily, weekly, or specially-scheduled basis that is responsive to the interests and needs of its local community. That programming is chosen by the local station management and naturally varies from market to market. In addition to the many hours each day covering local news, weather, and sports in each station's newscast, each station also addresses community concerns with its own mixture of other news, entertainment and public affairs programming. For example, KGO produces its own daily local show, "The View From the Bay," an hour-long show about lifestyle and entertainment, with segments featuring trend-setters, authors, celebrities,

fitness gurus, chefs, and parenting experts, as well as important community issues about living in the San Francisco Bay Area. Other stations, in contrast, choose to produce public affairs programming that they air on a weekly, quarterly or specially-scheduled basis. Each type of programming is locally produced to be responsive to the communities that comprise each station's viewing area. Listed below are a few examples (but by no means an exhaustive list) of local community-responsive programming on the ABC

#### Owned Television Stations:

- WPVI airs a Sunday morning panel discussion show entitled "Inside Story" focusing on major news events of local importance, and a weekly local magazine entitled "Prime Time Weekend." WPVI also airs a weekly program focusing (during alternating weeks) on Delaware and New Jersey, "Delaware Perspective" and "New Jersey Perspective."
- KGO airs "Beyond the Headlines," which focused on news issues in-depth, with many episodes covering political topics or featuring political office holders or candidates. This program profiles propositions and major candidates during every significant election period.
- WABC airs "Eyewitness News Up Close" weekly to explore important local stories of the week, and often includes governors, senators, members of Congress, mayors, and state lawmakers.
- WTVG airs (1) "Conklin and Company," on which the hosts talk with newsmakers, both locally and nationally, and focus on issues of interest to viewers in northwest Ohio and southeast Michigan; (2) "Roundtable," in which guests of varying viewpoints, such as local Israeli and Palestinian leaders, are brought together to ask questions of each other; and (3) "Coffee with the Fords," in which Former Toledo Mayor Jack Ford (Toledo's first African American mayor) and his wife Cynthia bring in guests who otherwise might not have a forum to showcase their talents to the community, including some local artists and entrepreneurs who are making an active contribution to society at large.

- WTVD airs “Heart of Carolina Perspectives,” which provides a half-hour look at community leaders, issues and events that reflect the vast diversity of the viewing area.
- WLS airs the award-winning “190 North,” featuring local culture, theater, food and fun as well as “Chicagoing,” a weekly public affairs program covering everything from homelessness and racism to celebrity interviews.
- KABC airs “Eye on L.A.,” a half-hour magazine show that focuses on the people, places and cultures that make Los Angeles unique.

The ABC Owned Television Stations air a large number of one-time specials that focus on issues of particular local concern or local events. The following are just a few examples:

- KABC has recently aired the following specials: “The ABCs of the Housing Market,” “The High Cost of Debt,” “Ready SoCal for Emergency Preparedness,” and “The ABCs of Women’s Health and Giving Life: The Story of Organ Donation.” KABC also airs half-hour specials entitled “Cool Kids” to recognize high school students who are doing great things in their community.
- WLS recently aired “Stop the Violence,” a three-part series of commercial-free half-hours of community discussion on curbing violence in Chicago schools.
- WABC recently aired “Operation 7: Save a Life,” focusing on safety precautions to take in the home and office, and “Protect Our Children,” a half-hour special focusing on the need to protect children from the threat of abduction and child abuse.

The ABC Owned Television Stations also broadcast a large number of local events, ranging from parades to local commemorative and historic events. A few years ago, WPVI displayed an extraordinary commitment to its local community by stepping in to become the primary financial sponsor of Philadelphia’s Thanksgiving Day Parade when the parade’s finances were at risk. Below are a few more examples:

- WLS airs ten local parades every year, including the Polish Day Parade, the Puerto Rican Day Parade, the Gay Pride Parade, and the 26<sup>th</sup> Street Mexican Independence Parade.
- WPVI airs, on an annual basis the following specials: (1) The Philadelphia Home Show Preview; (2) The Philadelphia Auto Show Preview; (3) The Philadelphia Flower Show Preview; (4) an annual Philadelphia Zoo special; (5) Commerce Bank Triple Crown of Cycling Race; (6) Philadelphia's July 4th Celebration; (7) The Puerto Rican Day Parade; (8) The Columbus Day Parade; (9) The Pulaski Day Parade; (10) The 6ABC/Bosco's Thanksgiving Day Parade; and (11) The Philadelphia Liberty Medal Ceremony. Specials events on WPVI over the last few years have included: (1) The Philadelphia Auto Show Preview; (2) The 2007 Marian Anderson Award Honoring Richard Gere; and (3) Philadelphia's July 4<sup>th</sup> Celebration.
- WJRT airs the Flint Symphony Orchestra Holiday and Summer Concerts and preempts regular programming to air the Bay City Fireworks every July.

2. The ABC Owned Television Stations are active in their local communities

The ABC Owned Television Stations also demonstrate their commitment to their local communities through local community partnerships, sponsorship of events, broadcast of telethons, and the airing of public service announcements. To be clear, the stations' commitments in this area are quite extensive and cannot be summarized or characterized by a few examples. Some – but not nearly all – of their efforts are further described in the summaries attached as Attachment B. Here are just a few examples:

- Over a period of just fourteen hours, KABC and the American Red Cross raised \$4,000,000 in individual and corporate contributions to benefit the victims of the California fires in October 2007.
- WPVI airs between 300 to 400 public service announcements (“PSAs”) per month, including station-produced “Community Connection” spots that serve grass-roots non-profits, churches,

schools, and community arts groups. One of WPVI's ongoing public service campaigns, in partnership with the Anti-Defamation League, is "No Place for Hate," a program designed to teach tolerance in Delaware Valley communities.

- KABC donates program-length airtime to community-based organizations for broadcasts such as The Help Group's "Autism Heroes" Special and the hour-long Urban League Special, "Legacy of Leadership." Overall, KABC aired 2,365 PSAs last year, with an estimated value of over \$2.5 million.
  - KFSN (1) recently conducted and aired a one-day live telethon with the Fresno County Economic Opportunities Commission to raise \$170,000 for families affected by the Valley Freeze of 2007; (2) is the annual sponsor of a twenty-year-old annual event that raises over \$400,000 annually, and has raised \$2.8 million to date for the Children's Hospital of Central California; and (3) recently broadcast a three-hour September 11 California Memorial dedication and then donated the proceeds from sale of the video to the New York Port Authority.
  - KGO has been the sponsor of the San Francisco AIDS Walk for twenty years; this event has raised nearly \$65 million since 1987.
  - WABC will air more than 2,000 PSAs in 2008, and has been awarded the Silver Bell Award, from the National Advertising Council, for its extraordinary service to the public.
  - WLS airs over 2,700 PSAs per year, benefiting more than thirty local and national organizations and charities.
  - WJRT airs the Children's Miracle Network Telethon each June, on a Sunday from 8 am to 6 pm. WJRT also helped organize and promote a two-day free event on the Flint Cultural Center grounds in celebration of the United Auto Workers 75<sup>th</sup> Anniversary.
3. TWDC's television and radio stations are committed to providing viewers with coverage of local sports events

Sports is one category of programming to which Americans are particularly devoted, and it is worth noting the amount of local sports coverage provided across our stations by our TWDC Owned ESPN Radio Stations and by our ABC Owned Television Stations. As discussed above,

ESPN Radio is a sports-formatted radio service devoted to serving sports fans. The five TWDC Owned ESPN Radio Stations air live national and local sports and a broad mix of broadcast sports talk shows dealing with both national and local sports teams and athletes. Below are some examples:

- WEAE airs a weekly two-hour high school recap during the fall. WEAE serves as the play-by-play home of the Penn State Nittany Lions football and basketball teams. WEAE also holds meetings to hear from community leaders about their concerns and needs of the Pittsburgh and Southwestern Pennsylvania community (in 2008 WEAE heard from 43 community leaders). WEAE airs between 30-45 minutes of public service announcements a day.
- WMVP partners with the Illinois High School Athletic Association to air weekly programming focusing on the positive in high school athletics, featuring weekly athlete and coaches of the week.
- KESN airs TCU football and basketball games. KESN also broadcasts live on Friday nights during the fall from various local high school football games, and airs two high school football-oriented programs, “Friday Night Gladiators” and “High School Gameday.”

Anyone who has ever listened to ESPN Radio – or any sports talk radio for that matter – knows that our TWDC Owned ESPN Radio Stations are directly in touch with their listeners on a daily basis and that sports fans do not hesitate to voice their criticism on any given issue. And, our TWDC Owned ESPN Radio Stations know exactly what their listeners want – as much live sports coverage and the best in-depth analysis of their favorite teams and sports that we can provide. Requiring such stations to convene a nationally-certified advisory board or to conduct ascertainment would only

divert the resources of these stations away from doing what they do best – serving the interests of *local* sports fans.

The ABC Owned Television Stations also broadcast and provide coverage of local sports. Listed below are a few examples:

- KGO broadcasts “After the Game,” an hour-long program featuring highlights and live interviews with players after sporting events, such as the NBA playoffs and finals. College Football “After the Game” features game highlights and interviews with players and coaches throughout the season, including bowl games.
- WTVD aired a Final Four special entitled “Turning it Blue: Chasing a Championship” on April 4, 2008.
- KTRK produces three weekly half-hour sport programs: “Inside The Game,” “Extra Points,” and “High School Hot Shots” (a program spotlighting Houston area high school athletes that airs on KTRK’s second digital channel). KTRK also uses its second digital channel to provide additional live sports; this year KTRK produced and broadcast live four area high school football/basketball games on D2 and it plans to produce a total of 10 games this fall on D2.
- WLS airs “Chicago Huddle” from September to December, providing local football commentary.
- WJRT has a week-long special broadcast from the Buick Open, Michigan’s only PGA tournament. WJRT also airs live pre-game shows before the University of Michigan/Ohio State and Michigan State/Michigan football games.

In TWDC’s experience, coverage of and discussion of local sports is very near and dear to many of our listeners and viewers. Clearly, any consideration of local programming that overlooks local sports would not be an accurate view of what matters in a local community. But sports are only one category of programming that could be overlooked by a narrow requirement that stations air certain types of programming. As discussed

more fully below, TWDC submits that the FCC should not adopt narrow categories of preferred programming.

4. Renewal processing guidelines raise serious constitutional concerns and likely will impose significant delays in an already lengthy renewal process and otherwise overwhelm already scarce Commission resources

The FCC concludes in the *Localism Report and NPRM* that many broadcasters provide significant amounts of local programming covering both news and public affairs.<sup>16</sup> The FCC nevertheless tentatively concludes that it “should reintroduce renewal application processing guidelines that will ensure that all broadcasters, not just the ones we heard from in this proceeding, provide some locally-oriented programming. Renewal applications filed by licensees that have met or exceeded the prescribed minimum percentages will be processed by the Media Bureau on delegated authority; those that do not will require consideration by the full Commission.”<sup>17</sup> Although, as demonstrated herein, the TWDC stations clearly are among those that air substantial amounts of locally-oriented programming, there are some very real reasons why the FCC should not impose a minimum percentage of certain types of programming.

First, such proposals are a significant intrusion by the government into the content aired by broadcasters. In order to draft regulations permitting

---

<sup>16</sup> See *Localism Report and NPRM*, at paras. 31-33.

<sup>17</sup> *Localism Report and NPRM*, at para. 40.

the FCC to review programming performance, the FCC asks a series of definitional questions—for example, how to define “local” and whether that definition should only “cover certain types of programming, such as local news, political, public affairs and entertainment.”<sup>18</sup> Such inquiries clearly indicate that the FCC would ultimately state a preference for certain types of local programming over others (*e.g.*, sports, discussed above, or weather, another local issue of particular interest and importance to viewers and listeners), and this raises serious constitutional issues. Moreover, the FCC tentatively concludes that it will review stations’ renewal applications “based on their localism programming performance.”<sup>19</sup> Such a review inevitably will involve the FCC in endless questions of the quality of programming content, and raises serious questions of constitutionality.

Second, TWDC respectfully submits that the imposition of such a review process on the application of renewal applications would only lengthen the already much-delayed pace of the renewal process. There has been much press attention to the already significant backlog of renewal applications at the FCC.<sup>20</sup> It simply is not prudent for the FCC to increase its own burden at a time when there are significant backlogs.

---

<sup>18</sup> *Localism Report and NPRM*, at para. 124.

<sup>19</sup> *Localism Report and NPRM*, at para. 124.

<sup>20</sup> *See, e.g.*, “License Renewal Logjam Persists at FCC,” *Television A.M.*, Feb. 8, 2007, *available at* 2007 WLNR 2861094.

Third, any FCC regulations in this area would inevitably be accompanied by compliance and enforcement burdens. Such burdens are not insignificant because they would involve keeping paper and/or electronic trails of all decisions made as to the rationale stations used to categorize programming. These burdens, particularly on smaller stations or stations that serve smaller markets and that often have very limited resources, cannot be overlooked or underestimated.

Lastly, TWDC has stressed in these comments that it believes it has an obligation to its viewers to provide programming that serves their interests. TWDC also believes – and the marketplace across the country demonstrates – that broadcaster stations are the most competitive when they are providing and producing programming that is responsive to their local residents. Thus, TWDC respectfully submits that a government regulation to produce better, more, or different types of local programming for stations that already are providing many hours of local programming is counter-productive. Moreover, even for that minority of stations that are not providing that same level of quality programming, TWDC respectfully questions whether a well-intentioned but administratively problematic and burdensome regulation of questionable constitutionality will produce the admirable result that the FCC seeks. Ultimately, in TWDC's view, the local competitive marketplace of viewers' opinions is and will continue to be the most effective motivation for stations to strive for quality local programming.

**C. Revisions to the Main Studio Rule are unnecessary**

The *Localism Report and NPRM* seeks comment on whether to revert to the pre-1987 main studio rule and on whether “accessibility of the main studio increases interaction between the broadcast stations and the community of service.”<sup>21</sup> The FCC notes that, in addition to the change to the rule in 1987, the rule was further changed in 1998.<sup>22</sup> Licensees have relied on both these changes and have moved operations in reliance on these changes, executing long-term leases (and improvements) or purchasing real estate. Thus, a change in this rule would have serious economic impact on many licensees – with no accompanying benefit. As a general matter, it is the local actions of the station management and not the location of the studio that affects how the station interacts with the community.

For example, the KABC main studio is located in Glendale, California, which is essentially surrounded by Los Angeles, KABC’s community of license. KABC moved into this new facility in late 2000, after spending more than a hundred million dollars on improvements. KABC made this move in reliance on the FCC’s rules. KABC’s extensive community efforts are described at Attachment B and throughout these comments. Given the breadth of KABC’s commitment to serving Los Angeles, it can hardly be said

---

<sup>21</sup> *Localism Report and NPRM*, at para. 41.

<sup>22</sup> *Localism Report and NPRM*, at para. 41.

that KABC is not a Los Angeles television station because its studio is in Glendale. Forcing KABC to change locations after its staggering investment – all made to better serve the Los Angeles community – would be arbitrary and capricious. There would simply be no basis or record for the FCC to render such an irrational decision.

The Radio Disney service was launched in 1996, just a few years before the last change in the main studio rule. The Radio Disney service thus has grown up as a service under the rules in effect from 1998, and there now are 41 Disney Owned Radio Disney Stations. Almost all the Radio Disney stations are AM stations, and Disney purchased and improved many of these facilities in the last ten years. During this time, Disney operated in compliance with the main studio rule, and in reliance on the rule as amended in 1998. As a result, 26 of the 41 stations currently have main studios located near but outside the station's community of license (on real estate purchased expressly for the station or leased for the station). Any change in the main studio rule back to the pre-1987 rule would have severe practical and financial impacts on these stations.

What should be key to the inquiry is that the location of the main studio does not affect the nature of the service. Radio Disney station employees and representatives are active members of their local communities; as part of their responsibilities, they attend local meetings where community and civic leaders are invited to speak on issues of

importance to the community and to local families. And the market imperatives of serving the community of license with programming responsive to the needs and interests of that community clearly drive the stations' programming decisions, regardless of whether the main studio is itself within or just outside the community of license. For example, KESN, one of the TWDC Owned ESPN Radio Stations, is licensed to the city of Allen, Texas, but its main studio is in Arlington, Texas. Yet, one can hardly question that KESN covers issues – and most notably sports – of local interest. For example, KESN airs TCU football and basketball games. KESN also broadcasts live on Friday nights during the fall from various high school football games. Thus, TWDC submits that requiring a re-arrangement of main studios would not appreciably promote the Commission's larger goal of encouraging localism and would only increase impose increased costs and burdens – costs and burdens that would diminish rather than enhance, the station's ability to serve its viewers or listeners.

**D. Modifications of the FCC's long-standing political programming rules are not supported by the record and likely would raise significant constitutional questions**

The *Localism Report and NPRM* states that “[m]any broadcasters take very seriously their responsibility to inform their viewers and listeners about

political issues.”<sup>23</sup> The FCC then goes on to state that “not all stations do as much as they can should in this important area” and so, the FCC tentatively concludes that it “intend[s] to modify [its] rules that implicate this area.”<sup>24</sup> However, the FCC gives no particulars, other than a description of rule changes in the enhanced disclosure area that it already adopted, regarding how it plans to change the rules.<sup>25</sup>

In fact, there are very real constitutional implications for the regulation of speech in this area, especially given that regulation of political coverage would directly affect the news decisions of individual news directors and reporters at individual stations. Moreover, the record indicates that stations already provide vast amounts of political programming. This is certainly the case with the ABC Owned Television Stations, and a few examples are listed below:

- KFSN has aired (1) two Fresno County Sheriff Candidates’ Debates; (2) a town hall meeting with Governor Schwarzenegger; (3) a town hall meeting co-sponsored by KFSN with local leaders and community members discussing local economic issues; (4) “Debating the Propositions,” a special program regarding the California ballot propositions and featuring seven state politicians; and (5) US Congressional, State Assembly, State Senate, and Fresno City Council debates.
- KGO employs a full-time state political reporter in Sacramento to cover state politics on a daily basis.

---

<sup>23</sup> *Localism Report and NPRM*, at para. 66.

<sup>24</sup> *Localism Report and NPRM*, at para. 66.

<sup>25</sup> *Localism Report and NPRM*, at para. 68.

- KABC produces and airs “Eyewitness Newsmakers,” a weekly show that features in-depth, face-to-face discussions with community leaders and elected officials regarding issues, politics, and news events that impact Southern California.
- WVPI has aired Pennsylvania, New Jersey, and Delaware Gubernatorial, debates, as well as Senatorial and Congressional debates. WPVI also has aired a Supreme Court forum and the Philadelphia Mayoral debates. Surrounding the Presidential Pennsylvania Primary, WPVI held and aired a live town hall meeting, and also aired a live one-hour post-debate special, which included local elected officials, students and academics.
- KTRK in 2008 aired a locally-produced special entitled “The New Space Race, Vote’ 08 Debate” regarding local political races.
- WJRT last fall aired the Flint Mayoral debate. WJRT also broadcast live a town hall meeting with the Michigan Governor to discuss the state of the economy.
- WTVD aired the GOP Gubernatorial debate on March 12, 2008 and the Durham Mayoral Debate on October 20, 2007.
- WLS has aired, without commercial interruption, the Republican and Democratic state debates, a Gubernatorial debate, and the Cook County State’s Attorney General Debate. WLS offered the statewide debates to all Illinois television markets.
- WTVG is the winner of a Cronkite award for excellence in political reporting. In February, both candidates for the Democratic Presidential nomination made their cases to Ohio voters in one-on-one interviews aired on WTVG. WTVG also hosts political debates and forums that enable candidates on both the local and state levels to make their cases for election to the voters. In recent years, WTVG has moderated debates for a U.S. Senate seat in Ohio, the Governor’s race, and countless state and local positions.
- KGO
  - FactCheck.org. On-air and online news reports check the facts on political ads, campaign speeches, and assertions by candidates in this partnership with FactCheck.org.
  - NextGen Politics. An unprecedented online tool connecting viewers with candidates to statewide offices. Now in its third year, NextGen Politics provides a forum for users to hear candidates, view campaign spending reports, and see for themselves what special interests may be bankrolling the

campaigns. Candidates are invited to submit a five-minute video to present their platforms, as well as answer a user-generated questionnaire focusing on issues important to voters.

- WABC in recent years has broadcast four Senatorial, three Gubernatorial, and three Mayoral debates, often with the WABC news team serving as moderators.

The extent of these political coverage efforts are illustrative of the amount of political programming being provided by the ABC Owned Television Stations. Stations in communities across the country offer similar coverage, in addition to substantial coverage of campaigns and local government regularly contained in station newscasts. We submit that efforts like these demonstrate that there is not an adequate record for the FCC to regulate this field, especially given the substantial constitutional issues that would confront any attempt to regulate news and political coverage.

**E. The ABC Owned Television Stations consistently broadcast programming to take into account the needs of all viewers, including traditionally underserved audiences**

The FCC states that “localism requires broadcasters to take into account *all* significant groups within their communities when developing balanced, community-responsive programming, including those groups with specialized needs and interests.”<sup>26</sup> The ABC Owned Television Stations respectfully submit that that is precisely what they and broadcasters across

---

<sup>26</sup> *Localism Report and NPRM*, at para. 69.

the country already do. Here are a few examples of such efforts on the ABC

#### Owned Television Stations:

- Since 1976, WPVI has aired a weekly minority affairs program called “Visions.” Since 1970, WVPI has aired the longest-running weekly Hispanic affairs show in the nation, “Puerto Rican Panorama.” WPVI also airs “IM Philly,” a monthly youth-targeted program.
- KABC airs “Vista LA,” a weekly magazine show exploring the variety and depth of the Latino spirit in Los Angeles.
- WTVG airs “Bridges,” a weekly program that focuses on issues of interest to the minority community, including education, the economy and race relations. In recent weeks, “Bridges” has focused attention on the Democratic Presidential campaign of Sen. Barack Obama, looked at the black community’s response to a city effort to extend a controversial tax initiative, and explored ways to improve the quality of education for all students in the Toledo area, not just those of color.
- KABC’s work with the Public Health Office of the County of Los Angeles and coverage of its launch of its cervical cancer pilot program targeting low income, underserved women helped that program become a full-fledged and funded campaign.
- KGO airs “Profiles of Excellence,” quarterly half-hour specials celebrating the Bay Area’s rich cultural diversity. For 20 years, these programs have spotlighted our minority communities, including the disabled, lesbian/gay/transgender, and ethnic communities.
- WLS airs the quarterly program “Beat,” which addresses a wide variety of subjects in the Hispanic community; “People, Places, & Things” focusing on achievements in the African American communities; and a monthly religious program “Sanctuary,” produced in association with the television departments of the Chicago Archdiocese, the Jewish Federation, and the Broadcast Ministries of Chicago.
- KFSN airs “Connecting with Kids,” half-hour specials focusing on programming for parents and kids.
- KTRK produces two weekly half-hour programs aimed at covering those issues important to the Hispanic, African American and Asian communities. Also, working with Houston International Festival, KTRK has produced specials on the

countries and people of China, Thailand, India, Africa, Jamaica, and Mexico.

- WABC airs a weekly hour-long program entitled “Like It Is,” which looks at current and past events through an African American perspective. WABC also airs “Tiempo,” a half-hour, weekly round-table devoted to topics affecting and relating to the local Hispanic community.

**F. The ABC Owned Television Stations are dedicated to providing viewers with emergency information**

The *Localism Report and NPRM* notes the “importance that the public places on receiving timely emergency information in a time of crisis.”<sup>27</sup>

TWDC agrees and wishes to stress that the ABC Owned Television Stations are committed to providing the most accurate and up-to-date emergency and weather warnings and information. TWDC views this obligation as a fundamental aspect of its relationship with its local community and – apart from any FCC regulation – will continue to strive for excellence in this area. Listed below are a few examples of our coverage:

---

<sup>27</sup> *Localism Report and NPRM*, at para. 83.

- As discussed above, in October 2007, KABC provided extended warnings, evacuation information, and up-to-the minute reports on the actual movement of the Southern California fires.
- This past winter, WTVG, extended its news coverage, in place of regularly-scheduled programming, to keep viewers up to date on a major weekend snowfall.
- KTRK provided extensive severe weather and hurricane coverage during the tragic Katrina and Rita Hurricanes.
- In Flint, Michigan, where weather can be particularly treacherous, WJRT preempts programming for severe weather, especially for tornados. When there is a tornado warning in the Flint area, WJRT preempts programming (network or otherwise), goes live, and stays live until the warning has passed. WJRT tracks the storm town-by-town and through communities (going so far as to show streets) where people need to take cover, and predicting specific times when people will need to take cover. Just last August, a tornado hit Fenton and WJRT began coverage at 5 pm on Friday and continued through the night, and also included extended coverage over the weekend.
- KFSN is a Tier-1 Weather Station, providing National Weather Service severe weather warnings instantaneously. KFSN also provides live radio through Storm Warn 30 and six live mounted cameras. KFSN also provides continuous foggy day school delay schedules.

These are but a few of the examples of the emergency information provided on TWDC stations.

In addition to emergency news coverage, the ABC Owned Television Stations air weather and emergency-related specials, including:

- A WTVD special on January 12, 2008 entitled “ABC 11 Eyewitness Special: Drought 2008.”
- An hour-long KGO special “1906 – A City Remembers,” commemorating the 100<sup>th</sup> anniversary of San Francisco’s devastating earthquake and fire. This in-depth program interviewed living survivors and covered lessons learned from 1906, as well as current Bay Area preparedness.

- Quarterly WABC weather specials on the latest storms, weather patterns and forecasting technology.

And, as mentioned above, all the ABC owned stations air “Accuweather Now” on one of their digital channels (D3) – which is their own 24 hour weather channel.

TWDC of course will continue to comply with the FCC’s Emergency Alert Service and other emergency requirements. Yet, in TWDC’s experience, viewers actually search out and are loyal viewers of those stations that provide extensive and accurate weather and emergency information. TWDC will continue to do its utmost to serve its communities in this area, regardless of any regulation.

**G. Adoption of a mandatory right-to-advance-review for network affiliates is unnecessary**

The *Localism Report and NPRM* seeks comment on several discrete issues regarding the network-affiliate relationship.<sup>28</sup> TWDC will only address one issue, the question of affiliate-review of network programming and, in this regard, TWDC refers to the Comments of the ABC Television Affiliates Association (“ABC Affiliates Association” or “Association”), which we understand are being filed today. As mentioned in the ABC Affiliates Association comments, ABC provided the ABC Affiliates Association with a description of our policy and we agree with the Association that our policy has

---

<sup>28</sup> *Localism Report and NPRM*, paras. 88-96.

worked well. Therefore, we agree with the Association that no new mandatory requirement is necessary.

#### IV. CONCLUSION

TWDC respectfully submits that further FCC action to promote localism is unwarranted and would be fraught with difficulty, both practical and legal. As a practical matter, the localism efforts of broadcasters vary in form and content according to the needs and interests of the local market. The FCC's proposed "one size fits all" regulation would only reduce stations' flexibility in serving local needs as the station deems warranted and would have the unintended affect of reducing the ways that stations' can serve their local communities. Indeed, it would be a rather ironic result if the FCC – as a federal agency – were to dictate national standards as to how a station should operate locally. As a legal matter, FCC regulation of localism – and especially local content and news – raises great questions of constitutional significance. In TWDC's view, any further regulation – or re-regulation – is unwarranted.

Respectfully submitted,

---

Susan L. Fox  
Vice President  
The Walt Disney Company  
1150 17<sup>th</sup> Street, N.W., Ste. 400  
Washington, D.C. 20036  
(202) 222-4780

---

John W. Zucker  
Senior Vice President  
ABC, Inc.  
77 West 66<sup>th</sup> Street  
New York, NY 10024  
(212) 456-7387

April 28, 2008