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**INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES
MOVING PICTURE TECHNICIANS, ARTISTS AND ALLIED CRAFTS
OF UNITED STATES AND CANADA**

**LOCAL UNION
No. 59**



**HUDSON COUNTY
N. J.**

**SINCE 1899
CELEBRATING OVER 110 YEARS**

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C.L.C. OF HUDSON COUNTY

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November 10, 2010

Chairman Julius Genachowski
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Received & Inspected

NOV 15 2010
FCC Mail Room

re: Renewal of Station License of WWOR-TV
File No. BRCT-20070201AJT and MB Docket No. 07-260

Dear Chairman Genachowski:

The International Alliance of Theatrical Stage Employees Local 59 has represented members employed by WWOR-TV since the station was relocated to New Jersey in 1982.

As you are certainly aware, this relocation was prompted by Section 331 of the Communications Act, which was passed by Congress to effectively require the Commission to reallocate a VHF TV station to New Jersey. Facing the imminent loss of its station license, WWOR-TV satisfied the criteria of Section 331, and thereafter applied to be reallocated to Secaucus.

In implementing Section 331, the Commission took note of the Congressional intent embodied in Section 331, quoting its sponsor, Senator Bill Bradley, as stating that:

[T]he reallocation of a license to New Jersey will mean that the licenseholder will move its studios and offices to New Jersey and operate in New Jersey for the benefit of the people in our State. . . I intend to carefully monitor the development of any New Jersey station to insure that it is responsive to the needs of my State. This station will not be a New Jersey station in name only. It will serve the people of New Jersey. [Emphasis in original]

Our members have been witness to a steady erosion of WWOR's efforts to uphold these principals since the acquisition of WWOR by Fox Television Stations in 1999. With the draconian cuts in programming and staffing that were implemented last year, these principals have been completely abandoned.

More than three years ago, a New Jersey citizen's group (Voice for New Jersey) petitioned the Commission to deny the renewal of WWOR-TV's broadcast license based on the station's ongoing failure to properly fulfill its public interest obligations. This proceeding is still pending, and the renewal of the station license remains in limbo.

As far back as 2007, when WWOR applied for renewal of its broadcast license, ongoing reductions in news staff and programming gave rise to serious questions regarding the station's performance with respect to its public interest obligations. As highlighted in a petition by a New

Jersey citizen's group (Voice for New Jersey) to deny renewal of the station license, WWOR then broadcast only one hour of news programming per day. Each of WWOR's peers in the New York market offered from three to seven times more news programming. WWOR's public affairs programming was found to be similarly lacking.

Since then, WWOR has further reduced its programming and staffing to such an extent that there can be no question but that the station utterly fails to meet its obligations to its northern New Jersey community of license.

In July, 2009, WWOR cut its weekday news programming to a half-hour per day. It moved the weekday news show from prime time to late night. It eliminated weekend news coverage altogether, and it cut its public affairs programming in half.

In conjunction with these programming cuts, Fox effectively made WWOR a satellite of its New York network affiliate, WNYW-TV. Based on Fox's own filings with the Commission, WWOR's staffing has been reduced by more than two thirds since the station's 2007 application for license renewal. The station's management is "shared" with WNYW, and its on-air talent appears regularly on WNYW. On a typical business day, WWOR's Secaucus headquarters resembles a ghost town; reportedly only one of the facility's four studios is being utilized, and only three hours of programming is produced each week.

Through layoffs, attrition, and the transfer and relocation of employees from WWOR to WNYW, a great number of New Jersey jobs have been lost. While that is of no direct concern to the Commission, the net effect is— WWOR is a hollow shell of a television station. It is not of New Jersey or operated for the people of New Jersey. It fails to satisfy the legal mandates of Section 331 of the Communications Act, and its current programming is wholly inadequate to fulfill its public interest obligations.

Fox's conduct in its recent *ex parte* filings with the Commission indicate its consciousness of this issue. Recent filings by Voice for New Jersey and others clearly illustrate Fox's misrepresentations and lack of candor in attempting to conceal WWOR's 2009 programming cuts and staffing reductions from the Commission. If Fox truly believed that its current programming and staffing levels were adequate, it would have no reason to engage in such subterfuge.

Fox Television Stations, Inc. and its parent company News Corp. and its affiliates have been the beneficiary of any number of favorable decisions by the Commission in recent years. The Commission has granted waivers of its cross-ownership rules allowing News Corp. entities to simultaneously own WWOR-TV, WNYW-TV, and The New York Post. News Corp. has failed to comply with the Commission's requirement that it divest ownership of WWOR-TV or The New York Post by December 29, 2008, and no further extension of the cross-ownership waiver has been granted. Applications for the renewal of both the WWOR and WNYW broadcast licenses are similarly pending.

Given this history of regulatory largesse (as well as the pendency of three significant proceedings), one would think that Fox would feel an obligation to fulfill its public interest obligations in an exemplary manner. The company's actions at WWOR suggest just the opposite.

I implore the Commission to take prompt action so that the people of New Jersey may finally receive the high-quality television programming that they deserve.

Sincerely,



Greg R. Hancox
President, Local 59 IATSE