

Agency Tracking ID:PGC2245488 Authorization Number:260084

Successful Authorization -- Date Paid: 12/7/12

FILE COPY ONLY!!

READ INSTRUCTIONS CAREFULLY BEFORE PROCEEDING (1) LOCKBOX #979089	FEDERAL COMMUNICATIONS COMMISSION REMITTANCE ADVICE FORM 159 PAGE NO 1 OF 1	APPROVED BY OMB 3060-059 SPECIAL USE FCC USE ONLY
SECTION A - Payer Information		
(2) PAYER NAME (if paying by credit card, enter name exactly as it appears on your card) Western Pacific Broadcast, LLC		(3) TOTAL AMOUNT PAID (dollars and cents) \$1355.00
(4) STREET ADDRESS LINE NO. 1 400 N. Ashley Drive		
(5) STREET ADDRESS LINE NO. 2 Suite 3010		
(6) CITY Tampa	(7) STATE FL	(8) ZIP CODE 33602
(9) DAYTIME TELEPHONE NUMBER (INCLUDING AREA CODE) 813-5794240		(10) COUNTRY CODE (IF NOT IN U.S.A.) US
FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED		
(11) PAYER (FRN) 0020401378		(12) FCC USE ONLY
IF PAYER NAME AND THE APPLICANT NAME ARE DIFFERENT, COMPLETE SECTION B IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C)		
(13) APPLICANT NAME Western Pacific Broadcast, LLC		
(14) STREET ADDRESS LINE NO. 1 400 N. Ashley Drive		
(15) STREET ADDRESS LINE NO. 2 Suite 3010		
(16) CITY Tampa	(17) STATE FL	(18) ZIP CODE 33602
(19) DAYTIME TELEPHONE NUMBER (INCLUDING AREA CODE) 813-5794240		(20) COUNTRY CODE (IF NOT IN U.S.A.) US
FCC REGISTRATION NUMBER (FRN) AND TAX IDENTIFICATION NUMBER (TIN) REQUIRED		
(21) APPLICANT (FRN) 0020401378		(22) FCC USE ONLY
COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET		
(23A) FCC Call Sign/Other ID WACP	(24A) Payment Type Code(PTC) TQC	(25A) Quantity 1
(26A) Fee Due for (PTC) \$1,355.00	(27A) Total Fee \$1355.00	FCC Use Only
(28A) FCC CODE 1 Blue Ridge	(29A) FCC CODE 2 1	
(23B) FCC Call Sign/Other ID	(24B) Payment Type Code(PTC)	(25B) Quantity
(26B) Fee Due for (PTC)	(27B) Total Fee	FCC Use Only
(28B) FCC CODE 1	(29B) FCC CODE 2	

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of:)
)
Carriage Complaint Against)
)
Blue Ridge Cable Technologies)
) File No. _____
 by)
)
Western Pacific Broadcast, LLC)
)
)
With Respect to Carriage Within the)
Philadelphia, PA Designated Market Area,)
of Local Commercial Television Station WACP,)
Licensed to Atlantic City, New Jersey)

Directed to: The Chief, Media Bureau

**PETITION FOR SPECIAL RELIEF
BY ORDER OF CARRIAGE**

Western Pacific Broadcast, LLC (“Western Pacific”), pursuant to FCC Rules 76.7 and 76.61, hereby respectfully requests that the Bureau order Blue Ridge Cable Technologies (“Blue Ridge”) to carry local commercial television station WACP, licensed to serve Atlantic City, NJ (“WACP”), in accordance with the Commission’s must carry rules and policies on Blue Ridge’s cable system(s) within the Philadelphia, PA designated market area (the “DMA”) for the remaining duration of the current must carry election cycle, expiring December 31, 2014.

In support of this petition, the following is respectfully submitted:

I. Factual Background

WACP is a new commercial television station, which commenced operation this summer. As a result of its status as a new station, Rule 76.64(f)(4) required it to notify local cable operators of WACP’s initial election of carriage status within a window 60 days prior to

commencing broadcasting and 30 days after commencing broadcasting. In accordance with that requirement, Western Pacific notified Blue Ridge by two identical letters dated June 6, 2012 that WACP was commencing operation and elected mandatory carriage on Blue Ridge's cable systems operating in the DMA.¹ That letter was sent by certified mail and was received by Blue Ridge on June 8, 2012.² Under Rule 76.64(f)(4), that initial election took effect 90 days after it was made, which in the case of Blue Ridge was September 6, 2012.

Blue Ridge did not respond to that election letter. To preserve its rights to carriage, by letters dated September 14, 2012, Western Pacific demanded carriage of WACP pursuant to FCC Rule 76.61(a)(1), which states:

(1) Whenever a local commercial television station or a qualified low power television station believes that a cable operator has failed to meet its carriage or channel positioning obligations, pursuant to §§ 76.56 and 76.57, such station shall notify the operator, in writing, of the alleged failure and identify its reasons for believing that the cable operator is obligated to carry the signal of such station or position such signal on a particular channel.³

Faced with Western Pacific's carriage demand letter, Rule 76.61(a)(2) required Blue Ridge within 30 days after it received the letter to "either commence to carry the signal of such station in accordance with the terms requested or state its reasons for believing that it is not obligated to carry such signal or is in compliance with the channel positioning and repositioning and other requirements of the must-carry rules."⁴

¹ A copy of that letter appears in **Exhibit 1**. The attachment to the letter is a list of all Blue Ridge CUIDs within the DMA as of the date of the letter.

² Copies of the US Post Office delivery receipts appears in **Exhibit 2**.

³ The demand letters appear in **Exhibit 3**. As shown in post office return receipt notices appearing in **Exhibit 4**, this letter was received by Blue Ridge on September 18.

⁴ Rule 76.61(a)(2), states:

(2) The cable operator shall, within 30 days of receipt of such written notification, respond in writing to such notification and either commence to carry the signal of such station in accordance with the terms requested or state its reasons for believing that it is not obligated to carry such signal or is in

Blue Ridge responded with a letter stating that the station “does not meet standards for a ‘Good Quality Picture’ as per FCC Rules....”⁵ This letter did not state that signal measurements were made, did not refer to signal measurements, did not provide the results of signal measurements and did not address Western Pacific’s offer to fund the cost of providing a good quality signal to the Blue Ridge headend.

At the invitation of Blue Ridge, Scott Johnson called and emailed Mr. Lorah of Blue Ridge on October 4 to request the test data and report.⁶

Blue Ridge replied by email delivered on October 8, in which Blue Ridge provided the locations of its two headends, and some information on the tests, but not enough information to determine if the tests were performed in accordance with Commission requirements.⁷

Mr. Johnson responded by email of October 9, in which he informed Blue Ridge that Western Pacific needed more information on the measurements to evaluate Blue Ridge’s test results. Mr. Johnson’s email set forth a list of those showing that are required by the Commission.⁸

compliance with the channel positioning and repositioning and other requirements of the must-carry rules. If a refusal for carriage is based on the station's distance from the cable system's principal headend, the operator's response shall include the location of such headend. If a cable operator denies carriage on the basis of the failure of the station to deliver a good quality signal at the cable system's principal headend, the cable operator must provide a list of equipment used to make the measurements, the point of measurement and a list and detailed description of the reception and over-the-air signal processing equipment used, including sketches such as block diagrams and a description of the methodology used for processing the signal at issue, in its response.

⁵ A copy of this letter appears in **Exhibit 5**.

⁶ A copy of that email appears in **Exhibit 6**.

⁷ A copy of that email appears in **Exhibit 7**.

⁸ A copy of that email appears in **Exhibit 8**.

Blue Ridge responded by email delivered on October 30, which transmitted screen shots from what appears to be a spectrum analyzer, a picture of one of the headend towers, the manufacturer's advertising brochure for the spectrum analyzer, and a diagram of the receiver system.⁹

II. Discussion

Blue Ridge has the burden of showing that WACP is not entitled to carriage if WACP is a commercial television station local to the DMA.¹⁰ As shown below, WACP is a commercial television station that is local to the DMA.

(a) Blue Ridge Is a Cable Operator in the DMA.

Blue Ridge is a cable operator that operates one or more cable systems serving the DMA, as demonstrated by the Commission's list of community unit identification numbers for the counties within the DMA.¹¹

(b) WACP Is Entitled to Mandatory Carriage on Blue Ridge's Cable System in the DMA.

WACP is entitled to carriage on cable systems located in the DMA if it is a "local commercial television station," as that term is defined in Rule 76.55(c). WACP is a commercial television station that is local to the DMA. In this regard, the Station is licensed to serve the community of Atlantic City, New Jersey, which is within the same television market as the cable system(s) operated by Blue Ridge in the DMA.¹² WACP is licensed and operating on a channel

⁹ A copy of that email appears in **Exhibit 9**.

¹⁰ *Implementation of the Cable Television Consumer Protection and Competition Act of 1992, Broadcast Signal Carriage issues*, 8 FCC Rcd 2965, 2990 ¶102 (1993).

¹¹ A list of the CUID's assigned as of June 2012 to Blue Ridge within the DMA is attached to the letter appearing in **Exhibit 1**.

¹² *Broadcasting & Cable Yearbook*, at B-156 (ProQuest, LLC 2009).

regularly assigned to its community of license, channel 4.¹³ Finally, WACP either delivers a good quality signal to the principal headend of the cable system(s), or is entitled to carriage despite the delivery of a lower quality signal due to the Western Pacific's undertaking to be responsible for the costs of delivering a good quality signal or a baseband video signal to the cable system(s). WACP has been operating within the DMA since June of this year and did not elect to reserve its retransmission consent rights with respect to any cable system or area of the DMA for the current must carry election cycle.

This Petition was preceded by both a written must carry election delivered to Blue Ridge and a subsequent written demand for carriage delivered to Blue Ridge. Blue Ridge responded to Western Pacific in a letter and a series of emails concerning the signal strength. The letter simply stated the conclusion that a good quality signal was not present. The following emails provided some information on the signal tests Blue Ridge conducted, but Western Pacific has been unable to determine, based upon these emails, whether there is a signal quality issue. These emails do not identify the principal headend, do not provide the heights and types of the antennas used to receive the other Philadelphia DMA TV station signals, do not provide measurement results, do not identify the component of the receiver where the measurements were taken, do not indicate the number of measurements or the times of day of the measurements, do not provide the weather conditions during measurements, and do not indicate whether the receive antenna used to measure the signal was oriented toward WACP.

Because of that missing information, the test or tests conducted by Blue Ridge do not meet either the substantive requirements of Rule 76.61(a)(2), or Commission policy for measuring TV station signals. Under Rule 76.61(a)(2), if Blue Ridge intended to deny carriage

¹³ Channel 4 is a DTV allotment assigned to Atlantic City by Rule 73.622(i).

based upon the failure of the station to deliver a good quality signal to the principal headend, Blue Ridge “must provide a list of equipment used to make the measurements, the point of measurement and a list and detailed description of the reception and over-the-air signal processing equipment used, including sketches such as block diagrams and a description of the methodology used for processing the signal at issue, in its response.” After reviewing the information provided by Blue Ridge, we do not know if the measurements were at the principal headend, we do not know the point of measurement, we do not know the characteristics of the channel 6 antenna used to take the measurements, and we do not know the exact orientation of the receive antenna, and, as a result, Blue Ridge’s letter and emails are insufficient to act as a signal deficiency notification.¹⁴

Moreover, these measurements also fail to meet the Commission’s additional requirement that they follow sound engineering measurement practices.¹⁵ That requirement includes treating the measured signal like other TV station signals received at the tower. But, the signal measurement report does not provide any information on the other TV reception antennas on the tower (assuming the tower is the principal headend, which we do not know). Those requirements also include properly orienting the receive antenna. But, while we do not know its actual orientation, we do know that it could not have been oriented to maximize reception of WACP because WACP and channel 6 have transmitters at different locations.

If the Bureau nonetheless decides to consider these signal test results, WACP still meets the requirements for classification as a “local commercial television station” under Rule

¹⁴ *Pappas Southern California License, LLC v. Communications Services*, 17 FCC Rcd 4582 ¶ 5 (2002).

¹⁵ *Implementation of the Cable Television Consumer Protection and Competition Act of 1992, Broadcast Signal Carriage Issues*, 9 FCC Rcd 6723, ¶ 60-61 (1994); *KM Television of El Dorado, LLC v. Friendship Cable of Arkansas, Inc.*, 19 FCC Rcd 8534, ¶ 8 (2004).

76.55(c)(3) because the signal quality standard can be met either by proving a “good quality signal” at the principal headend, or an undertaking by the TV station to agree to be responsible for the costs of delivering a good quality signal or a baseband video signal to the cable system, and WACP stated this agreement in its carriage election letter.¹⁶

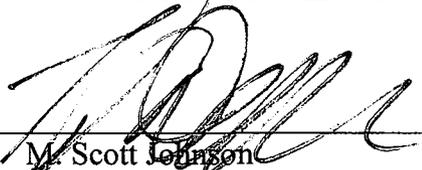
III. Conclusion

WHEREFORE, the foregoing premises considered, Western Pacific Broadcast, LLC hereby respectfully requests that the Commission order Blue Ridge to carry the Station in accordance with the must carry rules and policies for the remaining duration of the current must carry election cycle, expiring December 31, 2014.

Respectfully submitted,

WESTERN PACIFIC BROADCAST LLC

By: _____


Mr. Scott Johnson
Thomas J. Dougherty, Jr.
Its Counsel

FLETCHER, HEALD & HILDRETH, PLC
1300 North 17th Street, Suite 1100
Arlington, VA 22209
(703) 812-0400

December 7, 2012

¹⁶ This letter appears in **Exhibit 1**.

EXHIBIT 1



Fletcher, Heald & Hildreth

1300 NORTH 17th STREET, 11th FLOOR
ARLINGTON, VIRGINIA 22209

OFFICE: (703) 812-0400
FAX: (703) 812-0486
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www.commlawblog.com

M. SCOTT JOHNSON
(703) 812-0474
SJOHNSON@FHHLAW.COM

THOMAS J. DOUGHERTY, JR.
(703) 812-0409
DOUGHERTY@FHHLAW.COM

June 6, 2012

Both Via Certified Mail, Return Receipt Requested

President or CEO
Blue Ridge Cable Technologies
613 Third Street
Palmerton, Pennsylvania 18071

Mr. Joe Laura
Blue Ridge Cable Technologies
613 Third Street
Palmerton, Pennsylvania 18071

Re: Mandatory Carriage Election for WACP, Atlantic City, NJ

Dear President or CEO and Mr. Laura:

Pursuant to Section 614 of the Communications Act of 1934, as amended, and Section 76.64(f)(4) of the rules of the Federal Communications Commission, this will inform you that Western Pacific Broadcast, LLC, the licensee of Television Station WACP, Atlantic City, NJ (the "Station") hereby elects mandatory carriage of the Station's television signal pursuant to FCC Rule 76.56(b) on all cable systems operated by any one or more of Blue Ridge Cable Technologies or any of its direct or indirect subsidiaries or affiliates to the extent they serve the Philadelphia, PA Designated Market Area ("DMA"), including without limitation those community units listed on Exhibit A hereto. Carriage is sought solely within the DMA. The Station is a new station that is licensed to Atlantic City, NJ, which is part of the DMA. The Station is scheduled to begin commercial broadcasting on June 8, 2012. The Station will present the programming of Cannella Response Television, LLC, as well as other offerings of high quality programming. With reference to FCC Rule 76.56(b)(5), the Station will not substantially duplicate the signal of any other local commercial television station that is carried or retransmitted on your systems within the DMA and will not have a network affiliation duplicating that of a local commercial television station carried on your systems within the DMA.

The Station is assigned virtual channel 4 and elects carriage on that channel as of right under FCC Rule 76.57. Please be advised for purposes of complying with the FCC's material degradation requirement that the station will commence broadcast with one program stream employing virtually the entire bit stream (19.4 mbps) of the channel.

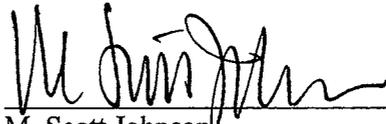
The Station is a local commercial television station as to all cable systems operating in the DMA, as defined in FCC Rule 76.55(c). For purposes of that definition, please be advised that in the event that the Station does not deliver an over the air signal of good quality as specified in FCC Rule 76.55 (c)(3) to the principal headend(s) [as defined in FCC Rule 76.5(pp)] of the cable systems covered by this election, the Station will be responsible for providing equipment and bearing the costs of delivering such requisite

signal of good quality to those headend(s) as required to comply with FCC Rule 76.55 (c), including without limiting the foregoing, the costs for any needed specialized equipment. Please note that this correspondence is not a demand for carriage; rather it is the election notice new stations are required to make under FCC Rule 76.64(f)(4).

Official correspondence in connection with this letter should be directed to the undersigned at the Fletcher, Heald & Hildreth, PLC address on this letterhead as the Station's contact person, with a copy to Mr. Bray at the address below.

Please contact the undersigned if you should have any questions concerning this matter.

Sincerely,



M. Scott Johnson
Thomas J. Dougherty, Jr.
Counsel for and Acting on Behalf of
Western Pacific Broadcast, LLC

cc: Matthew J. Bray, Vice President
Western Pacific Broadcast, LLC
400 N. Ashley Dr. Suite 3010
Tampa, FL 33602

EXHIBIT A - BLUE RIDGE CABLE TECHNOLOGIES

Comm. Unit	Comm. Name	County Name	Legal Name	PSID	Address	City	ST
PA1706	SOUTH HEIDELBERG	BERKS	BLUE RIDGE CABLE TECHNOLOGIES	003165	613 THIRD STREET	PALMERTON	PA
PA2823	SPRING	BERKS	BLUE RIDGE CABLE TECHNOLOGIES	003165	613 THIRD STREET	PALMERTON	PA
PA2940	ALBANY	BERKS	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA0130	SLATINGTON	LEHIGH	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA0742	HEIDELBERG	LEHIGH	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA0743	WASHINGTON	LEHIGH	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA1273	LYNN	LEHIGH	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA1379	LEHIGH	NORTHAMPTON	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA1380	WALNUTPORT	NORTHAMPTON	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA3924	ALLEN TOWNSHIP	NORTHAMPTON	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA

EXHIBIT 2

7009 0080 0001 3561 9760

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.10
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.40

Postmark Here: JUN 06 2012
 ARI/VA 23298

Sent To	President or CEO
Street, Apt. No., or PO Box No.	Blue Ridge Cable Technologies 613 Third Street
City, State, ZIP+4	Palmerton, PA 18071

PS Form 3800, August 2006 See Reverse for Instructions

received
 6/11/2012
 MBG

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Faye Ann Reiner</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>FAYE ANN REINER</i></p> <p>C. Date of Delivery <i>6-8-12</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>President or CEO Blue Ridge Cable Technologies 613 Third Street Palmerton, PA 18071</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7009 0080 0001 3561 9760</p>

7009 0080 0001 3561 9777

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.10
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.40

Postmark: JUN 06 2012
 ARLINGTON VA 22202-9998

Sent To: Mr. Joe Laura
 Street, Apt. No., or PO Box No.: Blue Ridge Cable Technologies
 613 Third Street
 City, State, ZIP+4: Palmerton, PA 18071

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Joe Laura
 Blue Ridge Cable Technologies
 613 Third Street
 Palmerton, PA 18071

2. Article Number
(Transfer from service label) 7009 0080 0001 3561 9777

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Joe Laura* Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
 6-8-12

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

EXHIBIT 3



Fletcher, Heald & Hildreth

1300 NORTH 17th STREET, 11th FLOOR
ARLINGTON, VIRGINIA 22209

OFFICE: (703) 812-0400
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(703) 812-0474
SJOHNSON@FHHLAW.COM

THOMAS J. DOUGHERTY, JR.
(703) 812-0409
DOUGHERTY@FHHLAW.COM

September 14, 2012

Both Via Certified Mail, Return Receipt Requested

President or CEO
Blue Ridge Cable Technologies
613 Third Street
Palmerton, Pennsylvania 18071

Mr. Joe Laura
Blue Ridge Cable Technologies
613 Third Street
Palmerton, Pennsylvania 18071

Re: Mandatory Carriage Election for WACP, Atlantic City, NJ

Dear President or CEO and Mr. Laura:

This letter is being delivered to you on behalf of Western Pacific Broadcast, LLC, the licensee of local commercial Television station WACP, licensed on channel 4 to serve the community of Atlantic City, NJ. This letter is a demand for carriage under FCC Rule 76.61(a)(1).

By letter dated June 6, 2012, and received by your office on June 8,¹ you were informed that WACP was commencing operation as a local commercial television station in the Philadelphia, PA Designated Market Area (the "DMA") and had elected mandatory carriage status.² As stated in that letter, as a cable operator within the DMA, FCC Rule 76.64(f)(4) required you to commence carriage of WACP by the date that is 90 days after that election. That 90 day period has ended, and our investigation has revealed that your system(s) within the DMA is not carrying WACP. This failure to commence continuous carriage within that 90 day period is a violation of FCC Rules, as well as the Communications Act of 1934, as amended. Although you received our carriage election notice, we have not received any communication from you indicating that you have a valid defense to carriage.

To be clear, WACP is entitled to carriage on your cable system(s) within the DMA. WACP has properly elected must carry status, and is a commercial television station which is local to the DMA.

¹ See U.S. Postal Service return receipt notification attached to this letter.

² A copy of that letter is attached.

Under FCC Rule 76.61(a)(2), you are required to respond to this letter in writing within 30 days of your receipt of this letter, and to either commence to carry the WACP signal in accordance with the terms requested in the attached carriage election letter or to state your reasons (if any) for believing that you are not obligated to carry the WACP signal.

It is our hope that carriage of the WACP signal on your cable system(s) within the DMA will commence promptly, and that this dispute will end with that carriage.

Official correspondence in connection with this letter should be directed to the undersigned at the Fletcher, Heald & Hildreth, PLC address on this letterhead as the Station's contact person, with a copy to Mr. Bray at the address below.

Please contact the undersigned if you should have any questions concerning this matter.

Sincerely,



M. Scott Johnson
Thomas J. Dougherty, Jr.
Counsel for and Acting on Behalf of
Western Pacific Broadcast, LLC

cc: Matthew J. Bray, Vice President
Western Pacific Broadcast, LLC
400 N. Ashley Dr. Suite 3010
Tampa, FL 33602



Fletcher, Heald & Hildreth

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THOMAS J. DOUGHERTY, JR.
(703) 812-0409
DOUGHERTY@FHHLAW.COM

June 6, 2012

Both Via Certified Mail, Return Receipt Requested

President or CEO
Blue Ridge Cable Technologies
613 Third Street
Palmerton, Pennsylvania 18071

Mr. Joe Laura
Blue Ridge Cable Technologies
613 Third Street
Palmerton, Pennsylvania 18071

Re: Mandatory Carriage Election for WACP, Atlantic City, NJ

Dear President or CEO and Mr. Laura:

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The Station is assigned virtual channel 4 and elects carriage on that channel as of right under FCC Rule 76.57. Please be advised for purposes of complying with the FCC's material degradation requirement that the station will commence broadcast with one program stream employing virtually the entire bit stream (19.4 mbps) of the channel.

The Station is a local commercial television station as to all cable systems operating in the DMA, as defined in FCC Rule 76.55(c). For purposes of that definition, please be advised that in the event that the Station does not deliver an over the air signal of good quality as specified in FCC Rule 76.55 (c)(3) to the principal headend(s) [as defined in FCC Rule 76.5(pp)] of the cable systems covered by this election, the Station will be responsible for providing equipment and bearing the costs of delivering such requisite

signal of good quality to those headend(s) as required to comply with FCC Rule 76.55 (c), including without limiting the foregoing, the costs for any needed specialized equipment. Please note that this correspondence is not a demand for carriage; rather it is the election notice new stations are required to make under FCC Rule 76.64(f)(4).

Official correspondence in connection with this letter should be directed to the undersigned at the Fletcher, Heald & Hildreth, PLC address on this letterhead as the Station's contact person, with a copy to Mr. Bray at the address below.

Please contact the undersigned if you should have any questions concerning this matter.

Sincerely,



M. Scott Johnson
Thomas J. Dougherty, Jr.
Counsel for and Acting on Behalf of
Western Pacific Broadcast, LLC

cc: Matthew J. Bray, Vice President
Western Pacific Broadcast, LLC
400 N. Ashley Dr. Suite 3010
Tampa, FL 33602

EXHIBIT A - BLUE RIDGE CABLE TECHNOLOGIES

Comm. Unit	Comm. Name	County Name	Legal Name	PSID	Address	City	ST
PA1706	SOUTH HEIDELBERG	BERKS	BLUE RIDGE CABLE TECHNOLOGIES	003165	613 THIRD STREET	PALMERTON	PA
PA2823	SPRING	BERKS	BLUE RIDGE CABLE TECHNOLOGIES	003165	613 THIRD STREET	PALMERTON	PA
PA2940	ALBANY	BERKS	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA0130	SLATINGTON	LEHIGH	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA0742	HEIDELBERG	LEHIGH	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA0743	WASHINGTON	LEHIGH	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA1273	LYNN	LEHIGH	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA1379	LEHIGH	NORTHAMPTON	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA1380	WALNUTPORT	NORTHAMPTON	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA
PA3924	ALLEN TOWNSHIP	NORTHAMPTON	BLUE RIDGE CABLE TECHNOLOGIES	004293	613 THIRD STREET	PALMERTON	PA

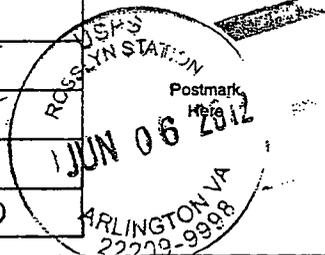
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For delivery information visit our website at www.usps.com

OFFICIAL USE

7009 0080 0001 3561 9777

Postage	\$ 1.10
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.40



Sent To: Mr. Joe Laura
 Street, Apt. No., or PO Box No.: Blue Ridge Cable Technologies
 613 Third Street
 City, State, ZIP+4: Palmerton, PA 18071

PS Form 3800, August 2006 See Reverse for Instructions

*Received 6/11/2012
 MBG*

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>[Signature]</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>[Signature]</i> 6-8-12</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Mr. Joe Laura Blue Ridge Cable Technologies 613 Third Street Palmerton, PA 18071</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

7009 0080 0001 3561 9777

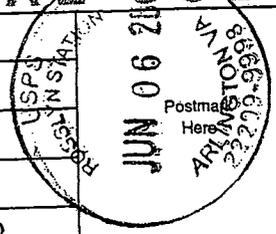
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OFFICIAL USE

7009 0080 0001 3561 9760

Postage	\$ 1.00
Certified Fee	2.85
Return Receipt Fee (Endorsement Required)	2.35
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.40



Sent To	President or CEO
Street, Apt. No.; or PO Box No.	Blue Ridge Cable Technologies 613 Third Street
City, State, ZIP+4	Palmerton, PA 18071

PS Form 3800, August 2006 See Reverse for Instructions

*Received
6/11/2012
MBG*

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

President or CEO
 Blue Ridge Cable Technologies
 613 Third Street
 Palmerton, PA 18071

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
X Faye Ann Reina

B. Received by (Printed Name) C. Date of Delivery
FAYE ANN REINA 6-8-12

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7009 0080 0001 3561 9760