

Davidson, Tom

From: Davidson, Tom
Sent: Tuesday, April 02, 2013 2:12 PM
To: 'Evan Baranoff'
Cc: Steven Broeckaert; 'carl@kandutsch.com'; 'antoinette.bush@skadden.com'; 'jjohnson@cov.com'; 'mbeder@cov.com'; 'epogoriler@cov.com'; 'mdelnero@cov.com'; Fox, Susan
Subject: Retransmission consent complaints against TV Max (MB Docket Nos. 12-113, 12-181, 12-222, 12-266)

Evan:

On behalf of ABC and KTRK, we are responding to your email inquiry of March 28, 2013. According to the TV Max website (<http://www.wavevision.com/houston/channel-line-up>), KTRK is listed as being retransmitted by TV Max on channel 13 (SD) and channel 605 (HD). ABC has no basis to determine whether the method of delivery, reception and retransmission of the KTRK signal by TV Max has changed since KTRK's complaint was filed. TV Max does not have a written or oral retransmission consent agreement with ABC or KTRK governing its retransmission of the KTRK signal. Accordingly, TV Max's retransmission of the KTRK signal continues to be unauthorized. To ABC's knowledge, TV Max has not ceased retransmitting the KTRK signal.

Please do not hesitate to let us know if you have further questions or we can be of additional assistance.

Tom W. Davidson

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From: Evan Baranoff [<mailto:Evan.Baranoff@fcc.gov>]
Sent: Thursday, March 28, 2013 12:43 PM
To: 'carl@kandutsch.com'; 'antoinette.bush@skadden.com'; 'mdelnero@cov.com'; 'jjohnson@cov.com'; Davidson, Tom; 'epogoriler@cov.com'; 'mbeder@cov.com'
Cc: Steven Broeckaert
Subject: Retransmission consent complaints against TV Max (MB Docket Nos. 12-113, 12-181, 12-222, 12-266)

RE: Complaints against TV Max

- FOX Enforcement Complaint Concerning KTXH(TV) and KRIV(TV), Houston TX, MB Docket No. 12-113, CSR No. 8623-C (dated Apr. 12, 2012) ("FOX Complaint")
- Univision Enforcement Complaint Concerning KXLN-DT, Rosenberg, TX and KFTH-DT, Alvin, TX, MB Docket No. 12-181, CSR No. 8669-C (dated Jun. 21, 2012) ("Univision Complaint")
- Post-Newsweek Enforcement Complaint Concerning KPRC-TV, Houston, TX, MB Docket No. 12-222, CSR No. 8694-C (dated Jul. 31, 2012) ("Post-Newsweek Complaint")
- ABC Enforcement Complaint Concerning KTRK-TV, Houston, TX, MB Docket No. 12-266, CSR No. 8707-C (dated Sept. 5, 2012) ("ABC Complaint")

Counselors:

By this email, the Media Bureau requests a brief update from TV Max and each of the broadcasters regarding the status of the four above-referenced complaints.

1. **For TV Max & FOX**, does TV Max currently carry KTXH(TV) and KRIV(TV) on its fiber ring?
 - a. If yes, does TV Max have a written retransmission consent agreement with or governing the station(s)? And, if so, when did the station(s) sign the retransmission consent agreement?
 - b. If no, when did TV Max cease retransmitting the station(s)?

2. **For TV Max & Univision**, does TV Max currently carry KXLN-DT and KFTH-DT on its fiber ring?
 - a. If yes, does TV Max have a written retransmission consent agreement with or governing the station(s)? And, if so, when did the station(s) sign the retransmission consent agreement?
 - b. If no, when did TV Max cease retransmitting the station?

3. **For TV Max & Post-Newsweek**, does TV Max currently carry KPRC-TV on its fiber ring?
 - a. If yes, does TV Max have a written retransmission consent agreement with or governing the station? And, if so, when did the station sign the retransmission consent agreement?
 - b. If no, when did TV Max cease retransmitting the station?

4. **For TV Max & ABC**, does TV Max currently carry KTRK-TV on its fiber ring?
 - a. If yes, does TV Max have a written retransmission consent agreement with or governing the station? And, if so, when did the station sign the retransmission consent agreement?
 - b. If no, when did TV Max cease retransmitting the station?

5. **For TV Max**, please provide an active FCC Registration Number (FRN).

The responses to these questions should be sent by email to me, cc'ing everyone on this email. The email response should also be filed in the docket of each of the above-referenced proceedings.

Thank you,

Evan C. Baranoff

Staff Attorney

FCC, Media Bureau, Policy Division

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