

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

In the Matter of: )  
)  
Carriage Complaint Against )  
)  
Armstrong Utilities, Inc. ) Docket No. 12-364, CSR-8752-M  
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

**REPLY TO OPPOSITION AND  
SUPPLEMENTAL OPPOSITION TO  
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 replies to the opposition and June 28, 2013 supplemental opposition of Armstrong Utilities, Inc. (“Armstrong”) to Western Pacific’s request that the Bureau order Armstrong 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 Armstrong’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 reply, the following is respectfully submitted:

Since filing its opposition and supplemental opposition, Armstrong has filed a petition (the “Petition”) to modify WACP’s market to exclude Armstrong’s communities within the

DMA from WACP's market, Docket No. 13-245, CSR-8838-A. The Petition reiterates and expands upon Armstrong's opposition and supplemental opposition submitted in this docket, raising anew its sole reason for opposing the carriage order requested in this docket – a claim of poor picture quality. Today, Western Pacific has filed its opposition to the market modification petition and, in that opposition, has thoroughly discussed and replied to all of the allegations and arguments that Armstrong has raised to defeat Western Pacific's carriage request. Accordingly, there is nothing to be gained by repeating those responses here.<sup>1</sup>

Western Pacific, thus, respectfully requests that the Bureau consider the opposition of Western Pacific in Docket No. 13-245 as its reply in Docket No. Docket No. 12-364, CSR-8752-M and, for this purpose, Western Pacific incorporates that opposition in this reply by this reference.

Respectfully submitted,

WESTERN PACIFIC BROADCAST LLC

By: \_\_\_\_\_

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

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November 12, 2013

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<sup>1</sup> Western Pacific has electronically filed requests to extend the time for replying to Armstrong's opposition and supplemental opposition. In the last request for an extension filed on September 30, 2013, Western Pacific announced its intention to reply to Armstrong's market modification petition and its two oppositions to the carriage demand at the same time, as the market modification petition reiterated and expanded upon those Armstrong oppositions.

CERTIFICATE OF SERVICE

I, Michelle Brown Johnson, hereby certify that on this 12th day of November, 2013, I caused a copy of the foregoing "Reply" to be served via U.S. mail, postage prepaid, and email upon the following entity:

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Michelle Brown Johnson