

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

In the Matter of)
)
Petition for Special Relief)
Requesting Waiver of Section 76.101 of the)
Commission's Rules)
) **File No.** _____
)
By)
)
Service Electric Cablevision)
)
)
)

To: Office of the Secretary, FCC

**Petition for Special Relief Requesting Waiver
of Section 76.101 of the Commission's Rules**

Pursuant to Section 76.7(a)(1) of the Commission's rules, Service Electric Cablevision ("Service Electric") seeks waiver of Section 76.101 of the Commission's syndicated exclusivity rules. Service Electric was recently notified that a newly added broadcast station is airing two programs that are subject to syndicated exclusivity protection in a *de minimus* portion of its cable system. As it stands, Service Electric is unable to honor the notice due to system limitations which do not allow for the airing of distinct channel lineups in individual communities. Absent a cost prohibitive redesign of its system, Service Electric would either have to blackout the station in the entirety of its system or violate the syndicated exclusivity rules. Accordingly, Service Electric seeks a waiver of the syndicated exclusivity rules.

DISCUSSION

Less than sixty days ago, Service Electric was served with a syndicated exclusivity notice.¹ Pursuant to the rules, only a very small portion of the communities which comprise its physically integrated system are subject to the blackout requirement. The affected communities are served off of nodes which make it physically and financially impossible to deliver a separate channel line up to the few affected communities different from the rest of the physically integrated system. Service Electric is, therefore, faced with either removing the signal in its entirety, and thus denying the vast majority of its subscribers access to programming they are entitled to view, or obtaining the requested waiver of the syndicated exclusivity rules. Therefore, consistent with policy, Service Electric seeks waiver of the Commission's syndicated exclusivity rules.

The special relief process was created to ensure that enforcement of the Commission's rules served their intended purpose. In adopting the syndicated exclusivity rules, the Commission stated that "a broadcaster cannot contract for exclusive rights when it has no reasonable expectation of exclusivity in any case."² The Commission further noted that "cable systems may continue to avail themselves of the standard waiver procedures provided for in the Communications Act."³ Consistent with this policy, Service Electric seeks waiver of the rules.

The instant waiver petition is timely, as it is being filed, along with a Request for Stay of the rules, within sixty days of receipt of syndicated exclusivity notice from New Age Media.⁴ Service Electric received notice from New Age Media on September 19, 2013 that the

¹ See *Email from Linda Greenwald to Donald Brandt and Tim Trently*, dated September 19, 2013 attached hereto as Exhibit 1 ("Syndicated Exclusivity Notice").

² *Continental Cablevision of Ohio, Inc.*, 7 FCC Rcd 499 at ¶6 (1992) (citing *Report and Order in Gen. Docket No. 87-24*, 3 FCC Rcd 5299, 5315 (1988), *aff'd in part and modified in part*, 4 FCC Rcd 2711 (1989), *aff'd sub nom. United Video, Inc. v. FCC*, 890 F.2d 1173 (D.C. Cir. 1989)).

³ *Id.* (citing *Report and Order in Gen. Docket No. 87-24*, 3 FCC Rcd 5299, 5339, n. 243 (1988)).

⁴ See 47 CFR 76.105(b)(2).

broadcaster was asserting its program exclusivity rights on behalf of WOLF TV for the programs Dr. Phil and The Doctors (“Syndicated Exclusivity Notice”).⁵ The Syndicated Exclusivity Notice indicated that Service Electric had recently added WFMZ to the channel line-up served by its Hazleton headend and that WFMZ aired two programs, Dr. Phil and The Doctors, over which WOLF claimed exclusivity rights.⁶ The Notice requested that Service Electric blackout the programming in light of the syndicated exclusivity rules.⁷

Immediately upon receipt of the Syndicated Exclusivity Notice, Service Electric reviewed the request to verify that the rules required Service Electric to blackout the relevant programming. As a result of the review, Service Electric found that only a small number of communities that were served off of its Hazleton headend were entitled to protection, since the majority of the communities served off of the headend were located within WFMZ’s Grade B contour.⁸ The cable system is technically integrated and due to the age and configuration of the cable system, Service Electric cannot simply blackout the programming only in the affected communities.⁹

The number of affected communities and subscribers represent only a *de minimus* portion of the system. The Hazleton cable system consists of thirty-nine communities, only four of which are subject to the blackout requirements. The four affected communities represent only a small minority of the cable system in both overall number and subscriber count. The Hazleton cable system consists of the following thirty-nine (39) communities: Ashland, Barry, Beaver Meadows, Blythe, Butler, Conyngham, Delano, Dorrance, East Brunswick, East Cameron, East

⁵ See *fn 1, supra*.

⁶ *Id.*

⁷ *Id.*

⁸ 47 CFR 76.106(a) provides an exception to the syndicated exclusivity rules for communities that fall, in whole or in part, within the grade B contour of a signal that would otherwise be subject to blackout under the rules.

⁹ See Declaration of Don Brandt at 2-3 attached as Exhibit 2 (“Brandt Declaration”).

Norwegian, East Union, Foster, Frackville, Freeland, Gilberton Borough, Girardville, Gordon, Hazle, Hazleton, Jeddo, Kline, Mahanoy Township, Mcadoo, New Castle, New Ringgold, Norwegian, Ringtown Borough, Rush, Ryan, Schuylkill, Shenandoah, St. Clair, Sugarloaf, Tamaqua, Union, Union Township, West Hazleton and West Mahanoy.¹⁰ The thirty-nine communities had a total of 25,042 subscribers as of September 2013.¹¹ Of those thirty-nine communities, only four communities lie outside of WFMZ's Grade B contour and are therefore subject to the obligation to black out the two syndicated programs: Ashland, Barry, East Cameron and Gordon ("Affected Communities").¹² These Affected Communities are the only ones in the Hazleton cable system that are entitled to syndicated exclusivity pursuant to WOLF's notice. Each of the Affected Communities has well under 1,000 subscribers, specifically Ashland has 786 subscribers, Barry has 191 subscribers, East Cameron has 15 subscribers and Gordon has 216 subscribers. Taken together the Affected Communities represent only 4.8% of the entire Hazleton cable system.¹³

Commission policy recognizes that the percentage and number of subscribers in the Affected Communities is *de minimus* and, accordingly, poses no threat to local broadcasters.¹⁴ In *Continental Cablevision*, the Commission stated that although the program exclusivity rules were designed to protect "parties' legitimate contractual rights so that 'the supply and diversity of programming demanded by viewers' may be increased" failure to waive the rules in a *de*

¹⁰ See map showing the forty communities in the Hazleton cable system attached as Exhibit 3 ("Hazleton System Map") and Grade B contour of WKMY attached as Exhibit 4; see also Brandt Declaration at 4. The community of Centralia used to be part of the Hazleton cable system, but the town has had an underground fire burning for years that forced the evacuation of the entire town. There is no cable plant there nor are there any residents.

¹¹ See Brandt Declaration at 5. The subscriber count in the Hazleton cable system has remained consistent over the past number of years and has only fluctuated by 1-2%, representing customer losses.

¹² See *fn 9, supra*; see also Brandt Declaration at 6.

¹³ See Brandt Declaration at 7. The subscriber breakdown as of September 2013 was as follows: Ashland – 786, Barry – 191, East Cameron – 15 and Gordon – 216.

¹⁴ See *Continental*, 7 FCC Rcd at ¶7 (finding communities of 486 subscribers, representing 3.89% of the cable system to be *de minimus*); See also, *Missouri Valley Communications, Inc.*, 58 FCC 2d 1101 (1976) (224 subscribers found to be *de minimus*); *Sabre Cablevision Co., Inc.*, 33 RR 2d 748 (1975) (finding 5.8% of affected homes to be *de minimus*).

minimus case would “provide protection to only a few hundred viewers at the expense of thousands not barred from receiving the programming in question.”¹⁵ Even so, the Commission noted that it would not be bound by any specific percentages of subscribers affected.¹⁶ The Affected Communities at issue here represent less than 5% of the total subscribers in the cable system. While the impact on the 23,834 subscribers in the non-affected portions of the Hazleton system would be significant should they lose the blacked-out programming, WOLF would not suffer any significant impact from a waiver of the blackout requirements for such a small number of subscribers. Accordingly, the balance of public interest weighs in favor of a waiver.

The Commission must look at the overall effect of blacking-out the affected programming or the entirety of WFMZ throughout the cable system, as it is technically infeasible for Service Electric to segregate programming to the Affected Communities under the cable system’s current configuration. The Hazleton cable system is a technically integrated system.¹⁷ All of the signals in the system originate from the Hazleton headend and are transported to a consolidated distribution point.¹⁸ From the consolidated distribution point, the channel lineup is transported out through four separate hub sites, Tamaqua, Frackville, Ashland, and Mahanoy.¹⁹ Because the system serves a number of small communities and is located in a rural area, each of the four hub sites is used to distribute signals out to nodes within the system.²⁰ Many of these nodes, including those that serve the Affected Communities, extend beyond town borders to serve multiple communities.²¹ Sending separate channel lineups to the Affected Communities

¹⁵ *Continental*, 7 FCC Rcd at 499, ¶7 (1992) (citing *Gen. Docket No. 87-24*, 3 FCC Rcd 5299, 5310 (1988)).

¹⁶ *Id.*

¹⁷ See Brandt Declaration at 2.

¹⁸ *Id.* at 8.

¹⁹ *Id.* at 9.

²⁰ *Id.* at 10.

²¹ See map showing fiber and nodes from Ashland-Barry to Girardville, attached hereto as Exhibit 5 (nodes are indicated by green flags and fiber lines are drawn in red); see map showing fiber and nodes from Ashland to Bears Head Headend attached hereto as Exhibit 6 (nodes are indicated by green flags and fiber lines are drawn in red); see

would require modifications to the existing plant, segregation of the nodes by geographic area and the creation of separate statistical multiplexing.²² The cost to redesign the plant would be prohibitive, amounting to well over \$100,000.²³

Service Electric's predicament overcomes the Commission's presumption in adopting the syndicated exclusivity rules that cable operators are able to purchase, at an affordable cost, equipment necessary to comply with the rules. In adopting the rules, the Commission stated that: "[a]lthough cable operators may have to make some changes to the way they do business, compliance costs will not be burdensome and, in any event, are outweighed by the benefits."²⁴ Such is not the case here. As indicated above, compliance costs in the instant case are excessive and outweigh the minor impact that airing the programming to a *de minimus* population in the Affected Communities would have on WOLF.

Given the current configuration of the system, without a waiver Service Electric would have to either delete the two affected programs throughout the entire Hazleton system, send the affected programs through to the entirety of the system or drop the signal entirely. If Service Electric deleted the affected programs from those communities that are otherwise entitled to receive it, it would violate Section 76.62(a) of the Commission's rules which prohibits the alteration of a broadcast signal, unless required by the rules. Service Electric could also be liable for a potential infringement claim for alteration of a broadcast signal as provided for in Section 111(b)(3) of the Copyright Act:

map showing fiber and nodes in overview of Ashland attached hereto as Exhibit 7 (nodes are indicated by green flags and fiber lines are drawn in red); *see also* Ashland Area Node Locations attached hereto as Exhibit 8 (showing the latitude and longitude of the nodes in the Ashland area); *see also* Brandt Declaration at 11.

²² *See* Brandt Declaration at 12.

²³ *See* Brandt Declaration at 13.

²⁴ *Amendment of Part 73 and 76 of the Commission's Rule Relating to Program Exclusivity in the Cable and Broadcast Industries*, 3 FCC Rcd 5299, 5313 (1988) ("*Program Exclusivity Order*"), *reconsideration and clarification granted in part*, 4 FCC Rcd 2711 (1989), *stay denied*, FCC 89-274 (1989), *aff'd*, 890 F. 2d 1173 (D.C. Cir. 1989).

(b) SECONDARY TRANSMISSION OF PRIMARY TRANSMISSION TO CONTROLLED GROUP.—Notwithstanding the provisions of subsections (a) and (c), the secondary transmission to the public of a performance or display of a work embodied in a primary transmission is actionable as an act of infringement under section 501, and is fully subject to the remedies provided by sections 502 through 506, if the primary transmission is not made for reception by the public at large but is controlled and limited to reception by particular members of the public: *Provided*, however, That such secondary transmission is not actionable as an act of infringement if—

- (1) the primary transmission is made by a broadcast station licensed by the Federal Communications Commission; and
- (2) the carriage of the signals comprising the secondary transmission is required under the rules, regulations, or authorizations of the Federal Communications Commission; and
- (3) **the signal of the primary transmitter is not altered or changed in any way by the secondary transmitter.**²⁵

Moreover, the Commission has held that a cable operator may not blackout programming on parts of the system that are entitled to the programming in order to abide by the syndicated exclusivity rules.²⁶ Accordingly, absent a waiver Service Electric would be left with the option to remove WFMZ from the system, which would deprive its subscribers of an important source of local programming.²⁷

The present scenario presents a Hobbesian choice for Service Electric -- whether to deny blackout protection to a *de minimus* number of subscribers representing less than 5% of its cable system, black out programming to a majority of subscribers entitled to receive the programming or drop a signal that a majority of its subscribers are entitled to receive in its entirety.

If the waiver is not granted the real losers will be the subscribers. We are entering into the winter storm season. Weather, traffic, school closings, and emergency information from

²⁵ 17 USC §111(b)(3). Emphasis supplied.

²⁶ See *In the Matter of: CTV of Derry, Inc. Petition for Special Relief*, 18 FCC Rcd 19272 at ¶8 (2003).

²⁷ The Commission does not have the authority to waive a statutory restriction. *Chrysler Corp. v. Brown*, 441 U.S. 281, 302 (1979) (“[T]he exercise of quasi-legislative authority by governmental departments and agencies must be rooted in a grant of such power by the Congress and subject to the limitations which that body imposes.”); Brandt Declaration at 16.

WFMZ may well be life-saving. WFMZ is an important source of local programming for the Hazleton subscribers. It is a vital community resource, which is why Service Electric added it to its line up. WFMZ provides local news, sports and entertainment programming which are vital to Service Electric's customers. A sampling of WFMZ's recent news stories included on the station's website shows the extent of coverage over areas located in the Hazleton system.²⁸ The website lists six recent news stories regarding incidents in Schuylkill County where the majority of the communities in the Hazleton system are located, including reports of vandalism and traffic incidents.²⁹ The focus on events in Schuylkill County is not surprising since most of the subscribers in the Hazleton cable system are located less than fifty miles from Allentown, PA – WFMZ's community of license – so local programming from Allentown is relevant to those subscriber's lives.

Weighing the impact of the waiver on both parties, Commission precedent favors granting Service Electric's request.

CONCLUSION

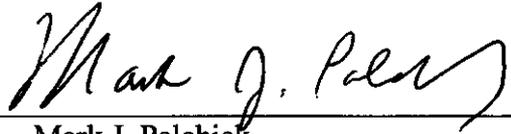
Service Electric urges the Commission to waive the syndicated exclusivity rules in this limited circumstance. Based on the facts at hand, the impact that enforcement of the Commission's rules would have on Service Electric's cable subscribers supersedes the minor effect waiver of the rules would have on WOLF.

²⁸ See *WFMZ Poconos/Coal Region News*, available at <http://www.wfmz.com/news/Regional-Poconos-Coal/-/149546/-/ndvjfd/-/index.html>, last viewed November 13, 2013, attached as Exhibit 9.

²⁹ *Id.*

Respectfully submitted,

Service Electric Cablevision

By: 

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November 15, 2013

Exhibit 1

From: Linda Greenwald [<mailto:lgreenwald@fox56.com>]
Sent: Thursday, September 19, 2013 9:45 AM
To: Donald Brandt; Tim Trently
Cc: Jon Cadman; Mike Yanuzzi
Subject: Syndex

Hi Don and Tim –

Hope this e-mail finds you both well. It has been brought to my attention that your cable head-end in Hazleton has recently added WFMZ to the channel line-up. As you know, we have exclusivity on several programs for the Scranton/Wilkes-Barre market and WFMZ airs two of these programs (Dr. Phil and The Doctors). I am referencing and attaching the original syndex letter that was sent to your attention in November of 2012 that highlights these programs. Can you please confirm that you will begin to black out these two programs effective immediately? I have also attached a schedule for WFMZ so that you can see where the programs air which is 8-9pm (Dr. Phil) and 9-10pm (The Doctors) weekdays. I appreciate your attention to this matter and can be reached via phone or e-mail should you require additional information or have any questions. Thanks in advance!

Linda Greenwald
Corporate Program Director | New Age Media
1181 Highway 315 | Plains, PA | 18702
570.970.5615 (O) | 570.970.5652 (F)
lgreenwald@fox56.com

Exhibit 2

DECLARATION OF DON BRANDT

I, Don Brandt, declare the following:

1. I am the Director of Programming for Service Electric Cablevision (“Service Electric”).
2. The Hazleton cable system is a technically integrated system that is served off of the Hazleton headend.
3. Due to the age and configuration of the Hazleton system, Service Electric cannot blackout programming only in the communities that lie outside of WFMZ’s Grade B contour.
4. The Hazleton cable system consists of thirty-nine communities: Ashland, Barry, Beaver Meadows, Blythe, Butler, Conyngham, Delano, Dorrance, East Brunswick, East Cameron, East Norwegian, East Union, Foster, Frackville, Freeland, Gilberton Borough, Girardville, Gordon, Hazle, Hazleton, Jeddo, Kline, Mahanoy Township, Mcadoo, New Castle, New Ringgold, Norwegian, Ringtown Borough, Rush, Ryan, Schuylkill, Shenandoah, St. Clair, Sugarloaf, Tamaqua, Union, Union Township, West Hazleton and West Mahanoy.
5. The Hazleton cable system had a total of 25,042 subscribers as of September 2013.
6. Of the thirty-nine communities in the Hazleton system, four lie outside of WFMZ’s Grade B contour – Ashland, Barry, East Cameron and Gordon (“Affected Communities”).
7. Each of the Affected Communities has under 1,000 subscribers. Specifically, as of September 2013, Ashland had 786 subscribers, Barry had 191 subscribers, East Cameron had 15 subscribers and Gordon had 216 subscribers.
8. All of the signals in the Hazleton system originate from the Hazleton headend and are transported to a consolidated distribution point.
9. From the consolidated distribution point the channel lineup is transported out through four separate hub sites, Tamaqua, Frackville, Ashland, and Mahanoy.
10. Because the system serves a number of small communities and is located in a rural area, each of the four hub sites is used to distribute signals out to nodes within the system.
11. Many of the system nodes extend beyond town borders to serve multiple communities.
12. In order to send a separate channel lineup to the Affected Communities, Service Electric would need to modify the existing plant, segregate the nodes by geographic area and create separate statistical multiplexing.
13. The cost to redesign the plan would amount to over \$100,000.

14. Service Electric cannot reconfigure its system to blackout the programming of WFMZ in the Affected Communities prior to November 18, 2013, as required by Section 76.105(b) of the syndicated exclusivity rules.
15. If Service Electric drops WFMZ it risks losing subscribers who would be very difficult to get back.
16. WFMZ is an important source of local programming for the Hazleton system subscribers.
17. I have reviewed the Petition for Special Relief Requesting Waiver of Section 76.101 of the Commission's Rules and the Petition for Stay of Section 76.101 of the Commission's Rules and believe them to accurately convey the facts as presented.

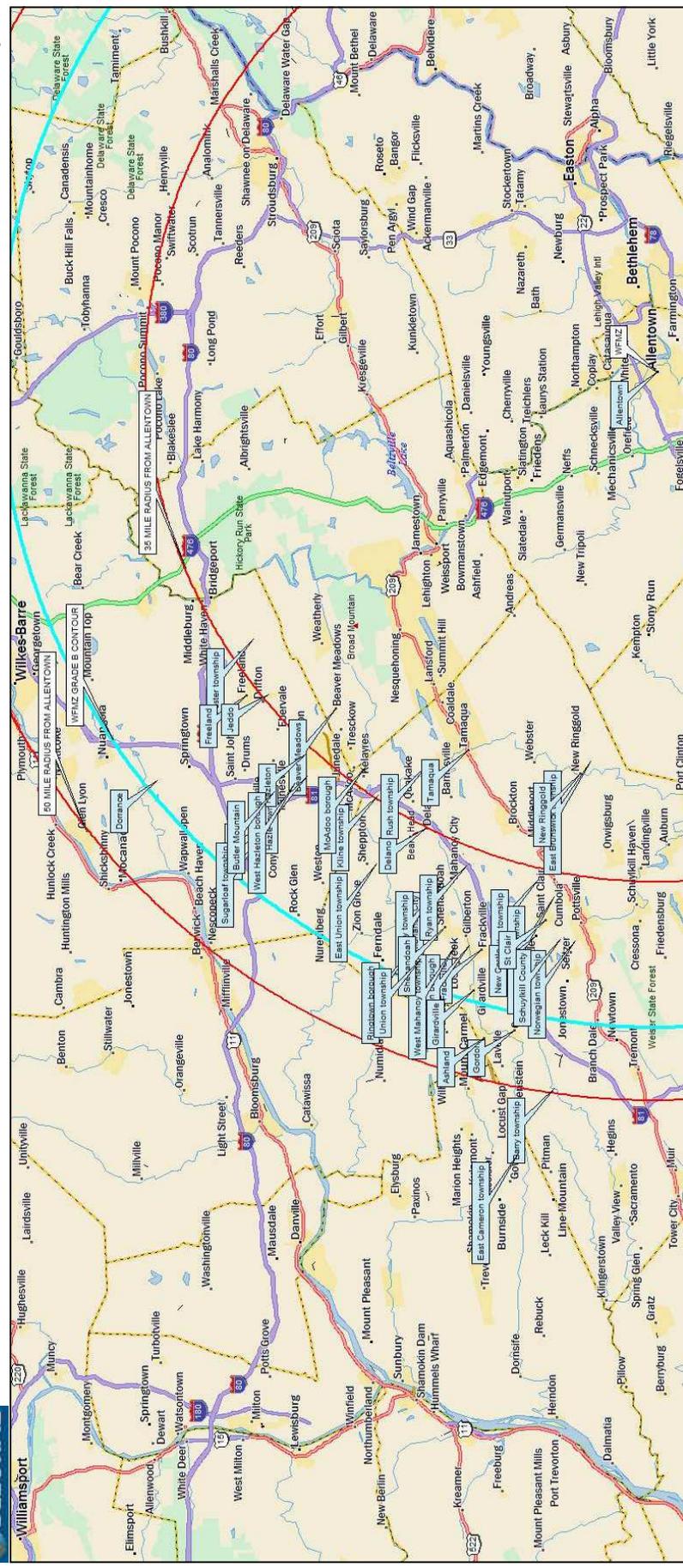
To the best of my knowledge, I state under penalty of perjury that the pleading and the foregoing are true and correct.

November 15, 2013

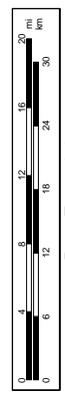
A handwritten signature in black ink that reads "Don Brandt". The signature is written in a cursive style with a long horizontal line extending to the right.

Don Brandt
Director of Programming
Service Electric Cablevision

Exhibit 3

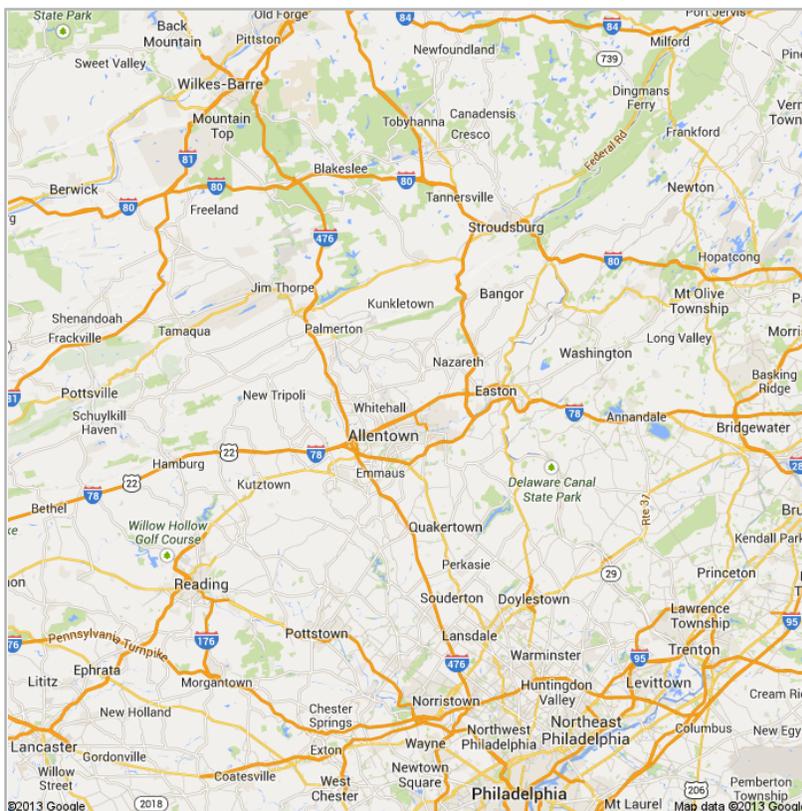


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Exhibit 4



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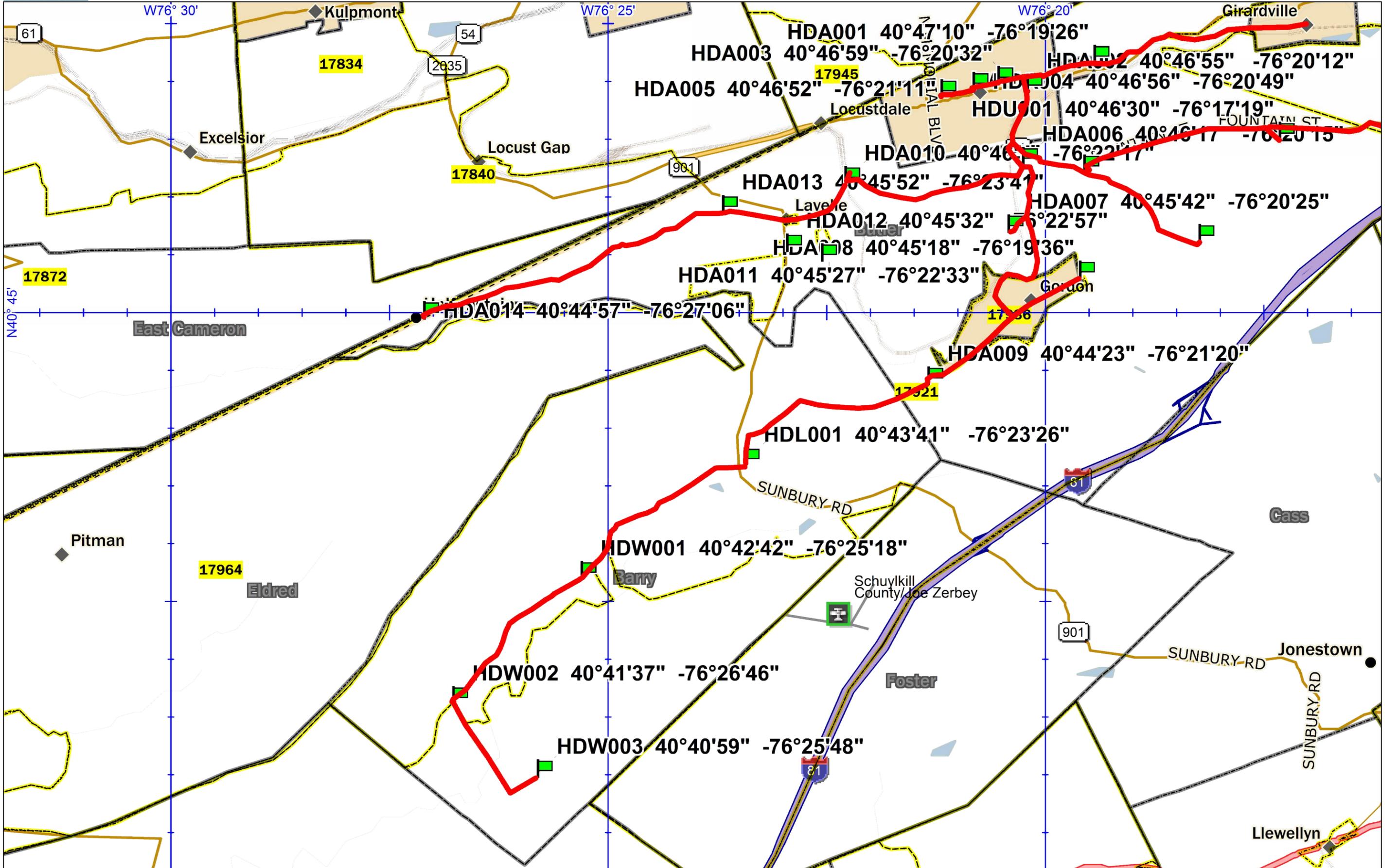
41 dBu Service Contour for WFMZ-TV, Allentown, PA

 WFMZ-TV, Allentown, PA
FCC File No. BMLCDT-20111230AAF

41 dBu Service contour

41 dBu Service contour (alternate color)

Exhibit 5



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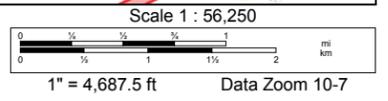
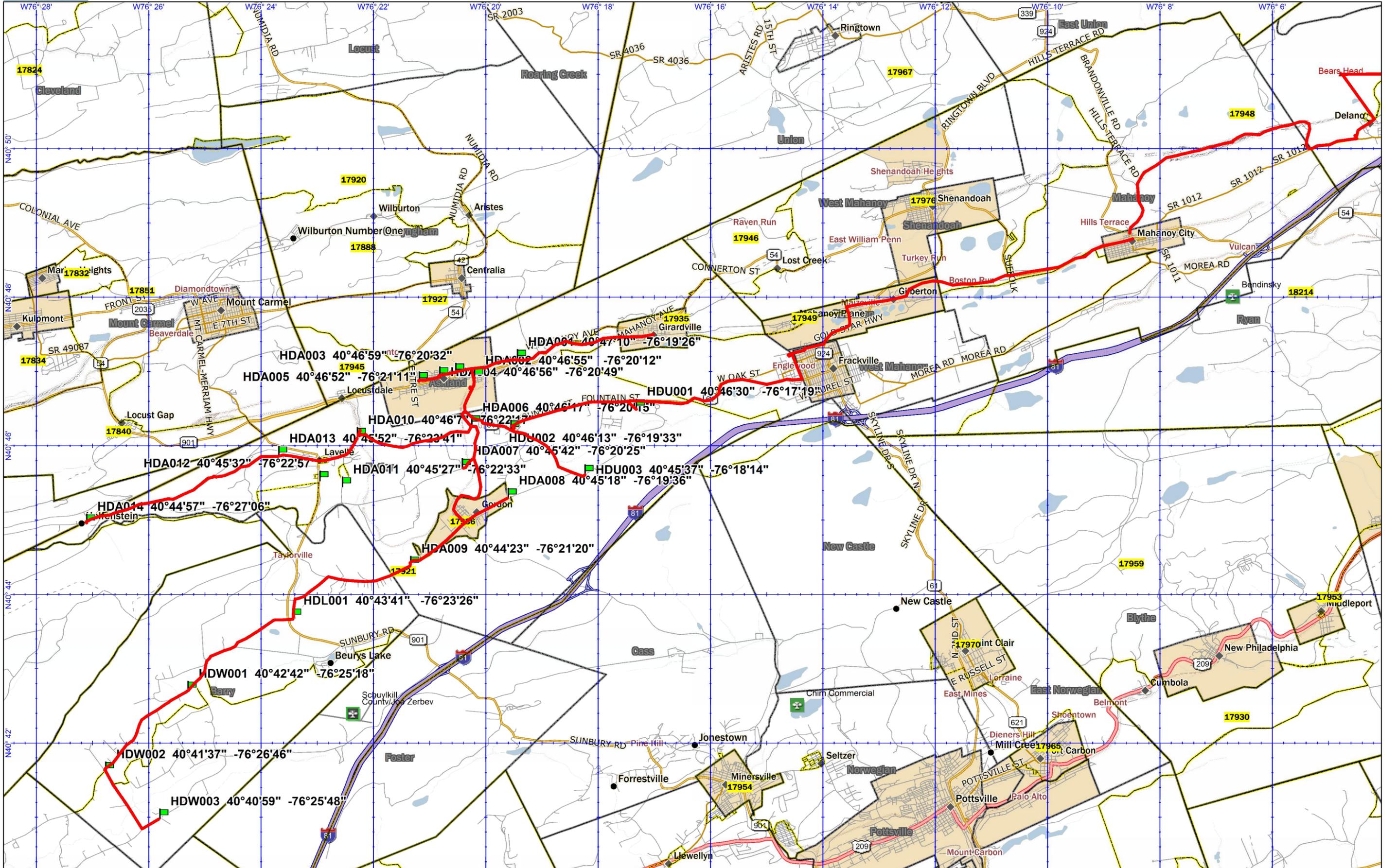


Exhibit 6



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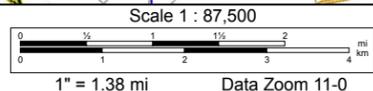
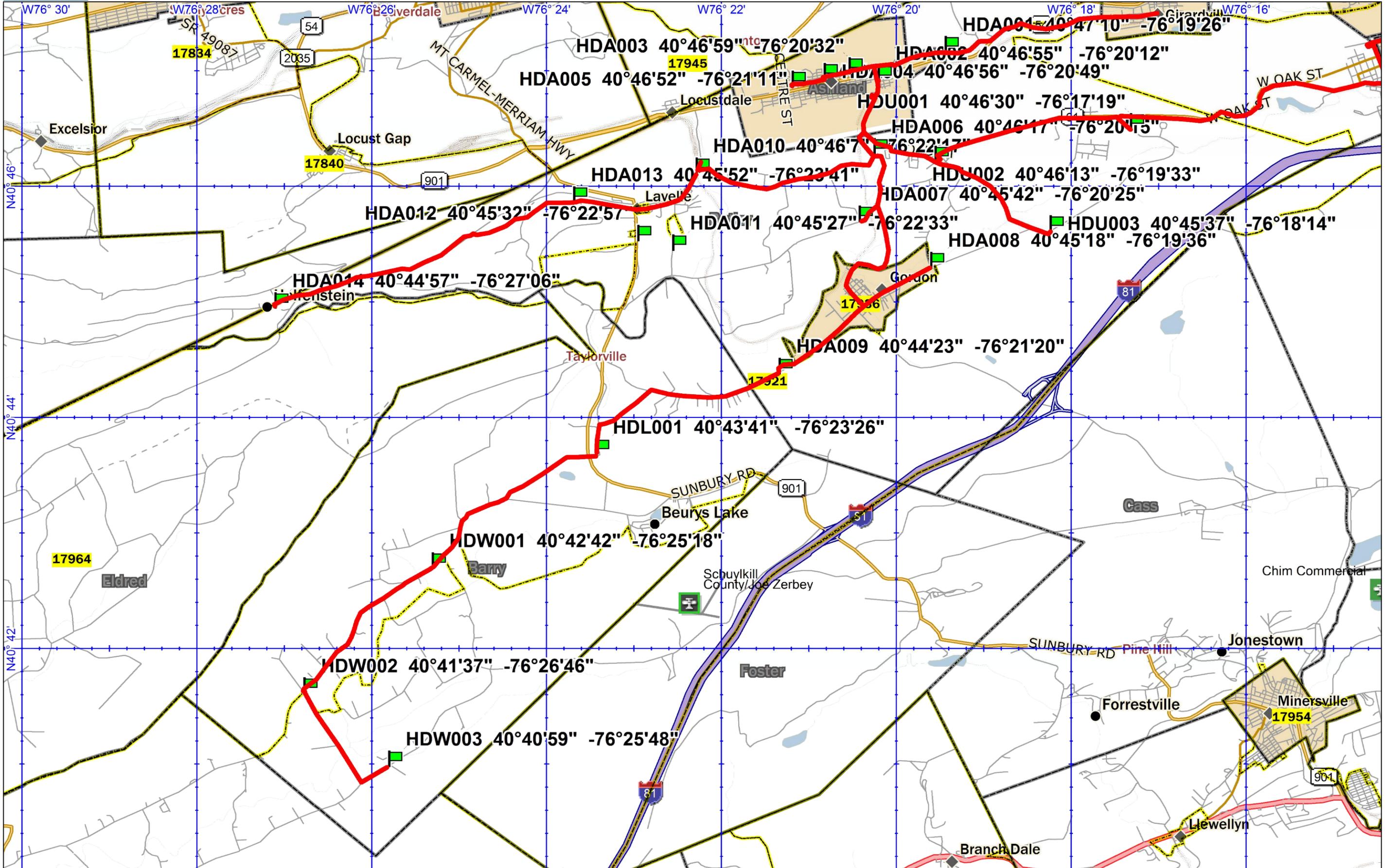


Exhibit 7



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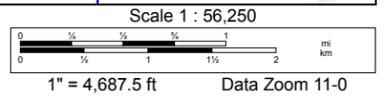


Exhibit 8

MC-ASHLAND AREA NODE LOCATIONS/COORDINATES

Node	Lat	Long
HDA001	40°47'10"	-76°19'26"
HDA002	40°46'55"	-76°20'12"
HDA003	40°46'59"	-76°20'32"
HDA004	40°46'56"	-76°20'49"
HDA005	40°46'52"	-76°21'11"
HDA006	40°46'17"	-76°20'15"
HDA007	40°45'42"	-76°20'25"
HDA008	40°45'18"	-76°19'36"
HDA009	40°44'23"	-76°21'20"
HDA010	40°46'7"	-76°22'17"
HDA011	40°45'27"	-76°22'33"
HDA012	40°45'32"	-76°22'57"
HDA013	40°45'52"	-76°23'41"
HDA014	40°44'57"	-76°27'06"
HDL001	40°43'41"	-76°23'26"
HDU001	40°46'30"	-76°17'19"
HDU002	40°46'13"	-76°19'33"
HDU003	40°45'37"	-76°18'14"
HDW001	40°42'42"	-76°25'18"
HDW002	40°41'37"	-76°26'46"
HDW003	40°40'59"	-76°25'48"

Exhibit 9



"These are my daily realities!"



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Truck veers off road, hits house and pole

Drivers had to find a different way through a Carbon County community Monday morning after a truck hit a house.

Unofficial numbers for Schuylkill Co. sheriff's race
10:48 AM Nov 12

Pocono community grieves after death of high school student
08:27 PM Nov 11

State police seek Douglas Rappa of Gilbert
06:01 PM Nov 11

Fire in Monroe County proves fatal for 54-year-old man
02:26 PM Nov 11

Truck veers off road, hits house and pole
01:43 PM Nov 11

Schuylkill County church damaged by copper thieves forced to cancel Sunday services
11:13 AM Nov 11

4 hurt in 2-car Schuylkill Co. accident
09:45 AM Nov 11

Police investigate rash of tire slashings in Schuylkill County
03:45 PM Nov 10

Pocono Mountain East High School mourns death of football player
02:40 PM Nov 10

Tamaqua church robbed of copper piping, food
07:18 PM Nov 08

Texas man in court in 1968 killing of Bethlehem Steel worker
06:51 PM Nov 08

3 men charged in abduction of girls in Pottsville
10:48 AM Nov 08

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Judge tells Northampton Co. mother to stop breastfeeding, she says
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Bodies exhumed in hopes of solving mysterious deaths of 2 women in 1960s
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Police: Woman arrives drunk to pick up sister accused of DUI
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Big Ticket - Pleasant Valley at Whitehall

NCAA RUNDOWN: Moravian, Muhlenberg, Albright earn wins

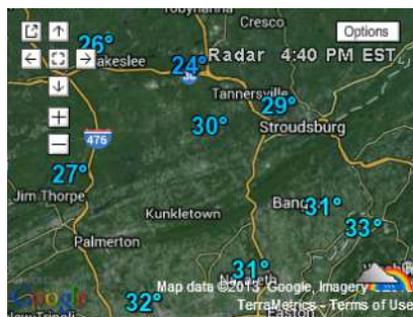
Kutztown, ESU women motivated by preseason ranks

Emmaus and Pleasant Valley to meet for D-11 title



Windy Cold Tuesday

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POCONOS COMMUNITY CALENDAR



- 11/12/2013 Exhibit: The Mystery of the Mayan Medallion
- 11/12/2013 Tech City at Da Vinci Science Center
- 11/12/2013 Two's Fun
- 11/12/2013 Parade of Homes
- 11/12/2013 Knifty Knitters
- 11/12/2013 Singers Wanted: Lehigh Saengerbund Chorus
- 11/13/2013 Exhibit: The Mystery of the Mayan Medallion
- 11/13/2013 Tech City at Da Vinci Science Center
- 11/13/2013 Planning for the Holidays
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- [Unofficial numbers for Schuylkill Co. sheriff's race](#)
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- [State police seek Douglas Rappa of Gilbert](#)
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- [Truck veers off road, hits house and pole](#)
- [Scouting for Food drive in Berks a success](#)
- [Schuylkill County church damaged by copper thieves forced to cancel Sunday services](#)
- [4 hurt in 2-car Schuylkill Co. accident](#)
- [Police investigate rash of tire slashings in Schuylkill County](#)

POCONOS CRIME HEADLINES

- [Schuylkill County church damaged by copper thieves forced to cancel Sunday services](#)
- [Police investigate rash of tire slashings in Schuylkill County](#)
- [Tamaqua church robbed of copper piping, food](#)
- [Texas man in court in 1968 killing of Bethlehem Steel worker](#)
- [3 men charged in abduction of girls in Pottsville](#)
- [Police: Man, 35, had sex with teen](#)
- [Schuylkill County man had sex with 14-year-old girl](#)
- [Officials investigate report of sexual assault on college campus](#)
- [Police investigate sexual assault at ESU](#)
- [Zasha Sanchez of Tobyhanna charged in stabbing](#)

LATEST FROM THE NEWSROOM

- [19 MIN. AGO Police chase fugitive over rooftops](#)
- [34 MIN. AGO Catholic churches aiding Philippine typhoon victims](#)
- [35 MIN. AGO Man found with bags of heroin after traffic stop, police say](#)
- [1 HR. AGO James Fortunato pleads guilty to Cosmopolitan theft](#)
- [1 HR. AGO Several fires set inside vacant home in Reading, officials say](#)
- [2 HR. AGC Health Beat: 'Frankenfood' fear: The GMO debate](#)
- [2 HR. AGC Casey pushes for Reading to be part of White House program](#)

NEWS DIRECT FROM POCONOS / COAL REGION
 A Service from PR Newswire

Local Headlines from PR Newswire

DICK'S Sporting Goods Announces Grand Opening Celebration at Bart...
 PITTSBURGH, Friday, November 1, 9:00 AM

Pennsylvania Office of Inspector General Announces September 2013...
 HARRISBURG, Pa., Tuesday, October 29, 2:00 PM

HealthQx Quality across health care
HealthQx chosen by TriWest Health Alliance to Help Assure Health ...
 KING OF PRUSSIA, Pa., Monday, October 14, 11:00 AM

PENSKE
Alvernia University, Penske Partnership Brings MBA Program to Pen...
 READING, Pa., Thursday, October 10, 9:06 AM

Mrs. T's
October 8th Marks Fifth Annual National Pierogy Day
 SHENANDOAH, Pa., Monday, October 7, 11:15 AM

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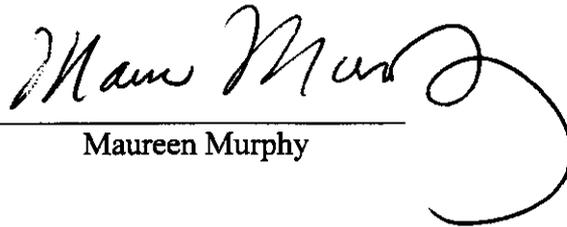


CERTIFICATE OF SERVICE

I, Maureen Murphy, hereby declare that a copy of the foregoing request for review and waiver was sent via U.S. mail, this day, November 15, 2013, to the following, as required by section 76.7(a)(3) of the Commission's rules:

President and GM
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Ms. Linda Greenwald
Corporate Program Director
New Age Media
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Maureen Murphy