ROBERT MENENDEZ
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March 21, 2014

0254

The Honorable Thomas Wheeler
Chairman
Federal Communications Commission
442 12th Street, NW
Washington, DC 20554

Dear Chairman Wheeler:

I am writing to follow up on the request that I made at our meeting on July 16, 2013 regarding the review of several issues specific to WWOR's relicensing renewal. Despite multiple efforts to highlight the need for the Federal Communications Commission (FCC) to enforce the special obligations placed on WWOR's operating license, to date there appears to be little if any action and no response or update. I look forward to either meeting with you personally or gaining the insight of the FCC soon in order to determine whether rules protecting the needs of my constituents are being properly enforced.

WWOR is a unique station with special requirements placed upon the license holder. Carrying out a law passed in 1982, the FCC stipulated that any license holder for WWOR "devote itself to meeting the special needs of its new community (and the needs of the Northern New Jersey area in general)." New Jersey is one of the most densely populated states in the country, but because of its location between New York City and Philadelphia, does not have a designated market area (DMA). WWOR is required to fill this gap by operating in the state of New Jersey to the benefit of all residents. Unfortunately, concerns have mounted that the operations of WWOR have not fulfilled these requirements.

As we discussed during our meeting, WWOR has had a license renewal pending since 2007. There has been a challenge to their license pending and an FCC investigation into alleged misrepresentations made by WWOR for many years. I asked at our meeting whether you would commit to me that within 90 days of your confirmation you would review these issues and come back to me with an action plan on how the FCC plans to address them moving forward. You agreed at the time that, if confirmed, you would fulfill your commitment. I also asked whether obligations imposed on WWOR's license require at least one half hour of nightly news devoted to New Jersey issues. I have not heard either an update on these issues or an answer to these questions.

New Jersey residents deserve a fair, robust and timely effort by the FCC to determine whether its own rules and congressional intent are being followed by WWOR. I hope that, as we work through the appropriations process for the next fiscal year, the FCC will work in good faith on this issue as has been promised.

Thank you for your consideration, I look forward to your prompt response and to continue working with you on this issue to ensure the law and regulations protecting my constituents are not ignored.

Sincerely,

ROBERT MENENDEZ
United States Senator

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 1, 2014

The Honorable Robert Menendez
United States Senate
528 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Menendez:

Thank you for your letter regarding the pending license renewal application for WWOR. I appreciated the opportunity to speak with you earlier, and to provide you with an update of our conversation.

I agree with you that the process regarding this license renewal has taken too long. Broadcast stations have a responsibility to serve their communities of license during their license term – and in WWOR's case, that "community" is Northern New Jersey, and not just Secaucus, NJ. However, as you know, there are legal constraints that generally prohibit the Commission from dictating specific programming requirements.

As you are aware, my staff met with WWOR representatives, along with a representative of your office, on April 11 to discuss the issues surrounding the pending renewal application. Additionally, at the request of your staff, we plan to have meetings with other parties to the renewal application, including Voices of New Jersey and Rainbow PUSH, as soon as schedules allow. Our intent is to obtain supplemental information from the parties so that a final decision can be made in the near term. Please be assured that the Commission staff is actively working on the renewal application and accompanying issues.

I hope this information is helpful.

Sincerely,

Tom Wheeler