



Federal Communications Commission
Washington, D.C. 20554

June 11, 2013

KM LPTV of Atlanta, LLC
3654 West Jarvis Avenue
Chicago, Illinois 60076

Re: WSKC-CD, Atlanta, Georgia
Facility ID No. 35090

Dear Licensee:

This is with respect to your June 13, 2012 response to the Video Division's March 13, 2012 letter regarding WSKC-CD, Atlanta, Georgia. The information provided in your response raised several additional points which require clarification regarding whether the Station has complied with the Commission's main studio rule. We request that you respond with detailed answers to the questions in this letter in the form of a declaration under penalty of perjury by a station representative with knowledge of the underlying facts by June 25, 2013.

Your letter states that, in January 2012, the studio for WSKC-CD was vandalized and the studio equipment and the majority of the station records, including the public inspection file, were stolen and/or destroyed. Your letter also provides the following information:

- The address of the main studio is 2963 Pleasant Hill Road, Duluth, Georgia.
- Todd Hinton, studio engineer, and Dae Jin Yang, station manager, are employed at the studio as station personnel and have been since January 1, 2010.
- The station's public file is located at the Atlanta Public Library, One Margaret Mitchell Square, Atlanta, Georgia, 30303.
- The station's quarterly issues/programs lists were prepared but are no longer available due to "theft and vandalism."

Your letter also attached a Gwinnett County Police Department Incident Report and an insurance claim filed with CNA as attachments. These exhibits provide the following information:

- The police report lists the location of the incident as 2174 Pleasant Hill Road, # 201, Duluth, Georgia.
- The police report is dated February 9, 2012 but lists the incident as occurring sometime between May 1, 2010 and February 9, 2012.
- The incident report narrative to the police report states that KM rented broadcasting equipment to Korea Times, a business located at the 2174 Pleasant Hill Road location under a lease agreement with KM. The complainant told the officer that Korea Times had not made a payment in 6 months and, when the complainant visited the office in January 2012, the business was found to have closed down without providing notice.

- The insurance claim lists a “theft of digital broadcast video server, etc.” by an unidentified person. The description states that the tenant defaulted on the lease and left with the insured’s equipment.
- Neither the police report nor the insurance claim refers to theft or vandalism related to the station’s public file.

The representations in your June 13, 2012 letter are not supported by the documentation submitted to support those representations.

First, the discrepancy over the main studio address raises numerous questions:

- Is the main studio for WSKC-CD located at the address: (i) provided in your letter or (ii) listed in the incident report?
- If the main studio is/was located at the site where the incident occurred, why did the personnel employed at the studio (since at least January 1, 2010, according to your letter) not become aware of and/or report the incident earlier?
- If the main studio was not located at the site where the incident occurred, why did you represent in your letter that the records and equipment in the main studio were stolen and/or destroyed and rely on the incident report as evidence supporting that assertion?

Second, numerous questions about the station’s public file remain:

- Where was the public file located prior to the incident?
- Why is the public file now located at the Atlanta Public Library when Commission rules require that the public file be placed at the main studio location?¹
- Why does the police incident report make no reference to the alleged theft and/or vandalism of the public file?
- If the public file was located at the site of the incident report, what station personnel were responsible for ensuring that the public receive access to the file?

Your submission must be filed with the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554, ATTN: Barbara A. Kreisman, Chief, Video Division, Media Bureau, within 30 days of the date of this letter. An electronic copy should also be sent to peter.saharko@fcc.gov.

¹ 47 C.F.R. § 73.3526(b)(1).

In the event that WSKC-CD wishes revert to low power television status, you need only notify us of this election and request a change in status for the station.² Should the Station make such an election, the potential violations addressed in this letter would be moot and no further response would be required. Failure to provide the requested information or to request a change in status within 14 days from the date of the letter will result in further action, including potential loss of Class A television status or referral of your license renewal application to the Commission and potential loss of license.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara A. Kreisman', written in a cursive style.

Barbara A. Kreisman
Chief, Video Division
Media Bureau

cc (by mail and email):
Aaron P. Shainis
Shainis & Perltzman, Chartered
1850 M Street NW
Washington, D.C. 20036

² See 47 C.F.R. § 73.6001(d).