



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 13-1666
Released: July 31, 2013

MEDIA BUREAU ANNOUNCES PERMIT-BUT-DISCLOSE *EX PARTE* STATUS FOR APPLICATIONS SEEKING TO TRANSFER CONTROL OF LICENSES FROM SHAREHOLDERS OF BELO CORP. TO GANNETT CO., INC. AND FOR APPLICATIONS SEEKING TO ASSIGN LICENSES FROM SUBSIDIARIES OF BELO CORP. TO SUBSIDIARIES OF SANDER MEDIA, LLC AND TO TUCKER OPERATING CO., LLC.
MB Docket No. 13-189

On June 19, 2013, Belo Corp.; Shareholders of Belo Corp.; Gannett Co., Inc.; Sander Media, LLC; Tucker Operating Co., LLC; and their respective subsidiaries filed eighteen (18) applications (Forms 314 and Form 315), pursuant to section 73.3540 of the Commission's Rules, to effectuate the merger of Gannett Co., Inc. and Belo Corp. The applications are listed in the Appendix to this Public Notice.

The Parties are seeking the Commission's consent to effectuate the Gannett Co., Inc. and Belo Corp. Merger Agreement and other contemporaneous agreements. In some markets, pursuant to the Commission's Ownership Rule, section 73.3555, the newly merged entity will not be allowed to hold the full power television station licenses held separately by Belo Corp. and its subsidiaries and Gannett Co., Inc. and its subsidiaries. In those markets, the stations will be assigned either to a subsidiary of Sander Media, LLC or to Tucker Operating Co., LLC. Gannett Co., Inc. will hold a combination of agreements with Sander Media, LLC subsidiaries and Tucker Operating Co., LLC, which may include an Option Contract, a Shared Services Agreement, a Joint Sales Agreement, and/or a Transition Services Agreement.

United Church of Christ Office of Communications, Inc.; Free Press; National Association of Broadcast Employees and Technicians-Communications Workers of America; The Newspaper Guild-Communications Workers of America Communications Workers of America; and Common Cause, through their counsel, the Institute for Public Representation, request that this proceeding be made permit-but-disclose for *ex parte* purposes. In view of this request, and in order to assure the staff's ability to discuss and obtain information needed to resolve the issues presented expeditiously, adoption of modified *ex parte* procedures is appropriate. Accordingly, by this Public Notice, and pursuant to section 1.1200(a) of the Commission's Rules,¹ we

¹ 47 C.F.R. §1.1200(a).

announce that the *ex parte* procedures applicable to permit-but-disclose proceedings will govern our consideration of the instant proceeding.²

Permit-but-disclose *ex parte* procedures permit interested parties to make *ex parte* presentations to the Commissioners and Commission employees and require that these presentations be disclosed in the record of the relevant proceeding.³ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with section 1.1206(b) of the Commission's Rules. All *ex parte* filings must be clearly labeled as such and must reference MB Docket No. 13-189.

The Media Bureau has received two petitions to deny in this proceeding. The petitions will be available through the Commission's Electronic Comment Filing System ("ECFS") as this is a docketed proceeding. Oppositions to the petitions to deny are due no later than August 8, 2013.⁴ Replies to the oppositions are due no later than August 20, 2013.⁵

The applications for assignment and transfer referred to in this Public Notice have been accepted for filing upon initial review. Persons and entities that file comments or petitions to deny become parties to the proceeding. They may participate fully in the proceeding, including seeking access to any confidential and/or highly confidential information that may be filed under a protective order. Persons and entities that do not file petitions to deny, including those who file comments, may not seek reconsideration of the Commission's decision regarding the assignments of the licenses and transfer of control at issue, nor appeal a final decision to the courts.

All filings concerning matters referenced in this Public Notice should refer to MB Docket No. 13-189, and if they pertain only to specific applications or matters, to the specific file numbers of the individual applications or matters as well.

² *Id.* at §1.1206.

³ *Id.* at §§ 1.1200 *et seq.*

⁴ *Id.* at §§73.3584(b), 1.45(b), 1.4.

⁵ *Id.* at §§73.3584(b), 1.45(c), 1.4.

Submissions in this matter may be filed electronically (*i.e.*, through ECFS) or by filing paper copies.

- Electronic Filers: Documents may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. Filings may be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, Maryland 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

In addition, one copy of each submission must be sent to the following:

- The Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone 1-800-378-3160, e-mail fcc@bcpweb.com;
- Adrienne Denysyk, Video Division, Media Bureau, Room 2-A820, e-mail adrienne.denysyk@fcc.gov.

Any submission that is e-mailed to Best Copy and Printing and Adrienne Denysyk should include in the subject line of the e-mail: (1) MB Docket No. 13-189; (2) the name of the submitting party; (3) a brief description or title identifying the type of document being submitted (*e.g.*, MB Docket No. 13-189, Gannett-Belo, *Ex Parte* Notice).

People with Disabilities. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

Availability of Documents. Documents in this proceeding will be available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. The documents may also be purchased

from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail fcc@bcpiweb.com.

The applications are also available electronically through the Commission's ECFS, which may be accessed on the Commission's Internet website at <http://www.fcc.gov>.

For further information, contact Adrienne Denysyk at (202) 418-2651. For press inquiries, contact Janice Wise at (202) 418-8165.

By: Chief, Media Bureau

APPENDIX

| Station | Fac. ID | Community | Assignor/ Transferor | Assignee/ Transferee | Application Number |
|----------------|----------------|-------------------------|-----------------------------|---|---------------------------|
| KASW(TV) | 7143 | Phoenix, AZ | KASW-TV, Inc. | Sander Operating Co. II LLC D/B/A KTVK Television | BALCDT-20130619AFJ |
| KTVK (TV) | 40993 | Phoenix, AZ | KTVK, Inc. | Sander Operating Co. II LLC D/B/A KTVK Television | BALCDT-20130619AFA |
| K11LC-D | 2756 | Prescott, AZ | KTVK, Inc. | Sander Operating Co. II LLC D/B/A KTVK Television | BALCDT-20130619AFB |
| K38AI-D | 2754 | Cottonwood, AZ | KTVK, Inc. | Sander Operating Co. II LLC D/B/A KTVK Television | BALCDT-20130619AFC |
| K15HY | 5323 | Williams-Ashfork, AZ | KTVK, Inc. | Sander Operating Co. II LLC D/B/A KTVK Television | BALCDT-20130619AFD |
| K25MG-D | 2753 | Flagstaff, AZ | KTVK, Inc. | Sander Operating Co. II LLC D/B/A KTVK Television | BALCDT-20130619AFE |
| K14NA-D | 13087 | Globe & Miami, AZ | KTVK, Inc. | Sander Operating Co. II LLC D/B/A KTVK Television | BALCDT-20130619AFF |
| K34EE-D | 56142 | Prescott-Cottonwood, AZ | KTVK, Inc. | Sander Operating Co. II LLC D/B/A KTVK Television | BALCDT-20130619AFG |
| K41JE | 126160 | Williams-Ashfork, AZ | KTVK, Inc. | Sander Operating Co. II LLC D/B/A KTVK Television | BALCDT-20130619AFH |
| KMOV(TV) | 70034 | St. Louis, MO | KMOV-TV, INC. | Sander Operating Co. IV, LLC | BALCDT - 20130619AEZ |
| KGW(TV) | 34874 | Portland, OR | King Broadcasting Company | Sander Operating Co. III, LLC | BALCDT - 20130619AFN |
| K48MP-D | 34851 | Corvallis, OR | King Broadcasting Company | Sander Operating Co. III, LLC | BALCDT - 20130619AFO |
| K29AZ-D | 34865 | Newport, OR | King Broadcasting Company | Sander Operating Co. III, LLC | BALCDT - 20130619AFP |
| K40EG | 34881 | Tillamook, OR | King Broadcasting | Sander Operating Co. III, LLC | BALCDT - 20130619AFQ |

| | | | Company | | |
|----------|--------|-------------------------|---------------------------------|----------------------------------|--------------------------|
| K46AK-D | 34864 | Prineville, etc., OR | King Broadcasting Company | Sander Operating Co. III, LLC | BALCDT - 20130619AFR |
| K25KS-D | 34844 | The Dalles, OR | King Broadcasting Company | Sander Operating Co. III, LLC | BALCDT - 20130619AFS |
| K35HU-D | 34870 | Grays River, WA | King Broadcasting Company | Sander Operating Co. III, LLC | BALCDT - 20130619AFT |
| K17HA-D | 130923 | Astoria, OR | King Broadcasting Company | Sander Operating Co. III, LLC | BALCDT - 20130619AFU |
| KGWZ-LD | 30810 | Portland, OR | King Broadcasting Company | Sander Operating Co. III, LLC | BALCDT - 20130619AFV |
| WHAS-TV | 32327 | Louisville, KY | Belo Kentucky, Inc. | Sander Operating Co. I, LLC | BALCDT - 20130619AFM |
| KMSB(TV) | 44052 | Tucson, AZ | KMSB-TV, Inc. | Sander Operating Co. V, LLC | BALCDT - 20130619AFL |
| KTTU(TV) | 11908 | Tucson, AZ | KTTU-TV, Inc. | Tucker Operating Co., LLC | BALCDT - 20130619ADJ |
| WFAA(TV) | 72054 | Dallas, TX | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AA Y |
| KHOU(TV) | 34529 | Houston, TX | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAW |
| KING-TV | 34847 | Seattle, WA | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAZ |
| K41FJ-D | 34861 | Coeur D'Alene, ID | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619ABB |
| K45AC | 34873 | Wenatchee, WA | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619ABC |
| K21CC | 50532 | Lewiston, ID | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619ABD |
| KTFT-LD | 167056 | Twin Falls, ID | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619ABF |
| K05DC | 34875 | Cambridge, Etc., ID | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619ABG |
| K16JE-D | 188132 | Glenns Ferry, ID | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619ABH |

| | | | | | |
|----------|-------|---------------------------------|-------------------------------|-------------------|-------------------------|
| K26LE-D | 34884 | Cascade, ID | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619ABI |
| K15IO-D | 34869 | McCall & New Meadows, ID | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619ABJ |
| K23KY-D | 11446 | Council, ID | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619ABK |
| KONG(TV) | 35396 | Everett, WA | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAM |
| WCNC-TV | 32326 | Charlotte, NC | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAS |
| W30CR-D | 32317 | Biscoe, NC | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAT |
| W24AY-D | 32316 | Lilesville/ Wadesboro, NC | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAU |
| KENS(TV) | 26304 | San Antonio, TX | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAP |
| WVEC(TV) | 74167 | Hampton, VA | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAR |
| KVUE(TV) | 35867 | Austin, TX | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAV |
| WUPL(TV) | 13938 | Slidell, LA | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAN |
| WBXN-CA | 70419 | New Orleans, LA | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAO |
| WWL-TV | 74192 | New Orleans, LA | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAQ |
| KREM(TV) | 34686 | Spokane, WA | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619ABA |
| KSKN(TV) | 35606 | Spokane, WA | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619AAX |
| KTVB(TV) | 34858 | Boise, ID | Shareholders of Belo Corp. | Gannett Co., Inc. | BTCCDT - 20130619ABE |