



Federal Communications Commission
Washington, D.C. 20554

August 7, 2014

Multimedia Holdings Corp.
c/o Gannett Co. Inc.
Attention: Linda Carducci
7950 Jones Branch Drive
McLean, Virginia 22107

Mr. Bob McIntosh
19851 East Pentice Lane
Centennial, Colorado 80015

Re: KUSA-DT, Denver, Colorado
File No. BRCT-20051201AAE
Facility ID No. 23074

Dear Petitioner/Licensee:

Bob McIntosh ("Petitioner") filed a petition to deny opposing the license renewal of Station KUSA-DT, Denver, Colorado, which is licensed to Multimedia Holdings Corp. ("Licensee"). For the reasons set forth below, we deny the petition.

Background. Petitioner contends that the license renewal application for KUSA-DT should not be renewed until indecency complaints against the station are adjudicated. Petitioner specifically refers to the August 31, 2004 broadcast of the show "Father of the Pride" and the September 25, 2003 broadcast of the show "Coupling," which Petitioner contends contained indecent material.

Section 309(k)(1) of the Communications Act of 1934 (the "Act") states that the Commission shall grant a license renewal application if it finds that (a) the station has served the public interest, convenience, and necessity; (b) there have been no serious violations of the Communications Act or Commission rules and regulations; and (c) there have been no other violations by the licensee of this Act or the rules or regulations of the Commission which, taken together, would constitute a pattern of abuse.¹ With respect to whether grant will serve the public interest, the Commission will designate a hearing pursuant to Section 309(d)(1) of the Act if (a) the petitioner provides specific allegations of fact sufficient to show that such a grant would be prima facie inconsistent with the public interest;² and (b) the allegations, taken together with any opposing evidence before the Commission, raise a substantial and material question of fact as to whether grant would serve the public interest.³

Discussion. The Commission has already ruled on the merits of Petitioner's allegations and concluded that the material was not indecent.⁴ We have reviewed the facts presented in the petition and

¹ 47 U.S.C. § 309(k)(1).

² 47 U.S.C. §309(d)(1); *Astroline Communications Co. Ltd. Partnership v. FCC*, 857 F.2d 1556 (D.C. Cir. 1988) ("Astroline").

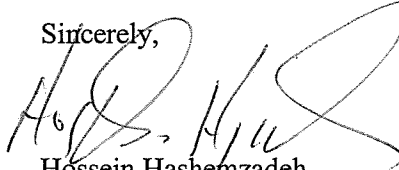
³ *Astroline*, 857 F.2d at 1561.

⁴ *Complaints Regarding Various Television Broadcasts Between Feb. 2, 2002 and Mar. 8, 2005*, Notices of Apparent Liability and Memorandum Opinion and Order, 21 FCC Rcd 2664, 2710 (2005) ("Father of the Pride"); NBC Telemundo License Co., Memorandum Opinion and Order, 19 FCC Rcd 23025 (2004) ("Coupling").

conclude that it does not contain specific allegations which would justify denial or designation of the license renewal application or demonstrate a pattern of non-compliant behavior.⁵

We therefore conclude that the petition to deny does not provide specific allegations of fact sufficient to show that such a grant would be prima facie inconsistent with the public interest. Accordingly, it is ordered that the petition to deny filed by Bob McIntosh **IS DENIED**.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Hashemzadeh', written over the printed name.

Hossein Hashemzadeh
Deputy Chief, Video Division
Media Bureau

⁵ *EZ New Orleans, Inc.*, Memorandum Opinion and Order, 15 FCC Rcd 7164 (1999); *Eagle Radio, Inc.*, Memorandum Opinion and Order, 9 FCC Rcd 1294, 1295 (1994).