



Federal Communications Commission
Washington, D.C. 20554

August 7, 2014

American Broadcasting Companies, Inc.
77 West 66th Street, 16th Floor
New York, 10023-6298

Re: WABC-TV, New York, New York
File No. BRCT-20070201BHD
Facility ID 1328

Dear Licensee:

On May 31, 2007, J.C. Plummer (“Objector”) filed an informal objection opposing the license renewal of Station WABC-TV, New York New York, which is licensed to American Broadcasting Companies, Inc. (“Licensee”). For the reasons set forth below, we deny the informal objection.

Background. Objector contends that the images aired on the Station’s coverage of the tragic events of September 11, 2001 were in fact real-time animation.

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 When an informal objection is filed against a license renewal application, the Commission applies a two-step analysis under the public interest standard.² The Commission must first determine whether the informal objection contains specific allegations of fact sufficient to show that granting the application would be *prima facie* inconsistent with the public interest.³ If an informal objection meets this first step, the Commission must determine “whether the totality of the evidence raises a substantial and material question of fact justifying further inquiry.”⁴ If no such question is raised, the Commission will deny the informal objection and grant the application if it concludes that such grant otherwise serves the public interest, convenience, and necessity.⁵

Discussion. Objector’s allegation is without merit. We therefore conclude that the informal objection does not contain specific allegations which would justify denial or designation of the license renewal application or demonstrate a pattern of non-compliant behavior.⁶

¹ 47 U.S.C. § 309(k)(1).

² *Astroline Communications Co. Ltd. Partnership v. FCC*, 857 F.2d 1556, 1561 (D.C. Cir. 1988); *Area Christian Television, Inc.*, Memorandum Opinion and Order, 60 RR 862, 864 (1986) (informal objections, like petitions to deny, must contain adequate and specific factual allegations sufficient to warrant the relief requested).

³ 47 U.S.C. § 309(k)(1).

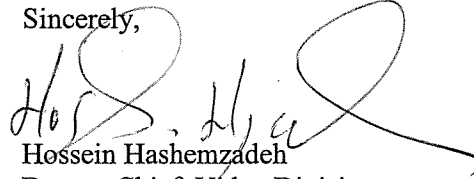
⁴ *Citizens for Jazz on WRVR v. FCC*, 775 F.2d 392, 395 (D.C. Cir. 1985) (citing 47 U.S.C. §309(k)(2)); *Area Christian Television, Inc.*, 60 RR at 864.

⁵ 47 U.S.C. § 309(k)(1).

⁶ *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).

We therefore conclude that the informal objection does not allege violations that raise substantial and material questions of fact concerning the Licensee's qualifications or would otherwise justify designation of the Station WABC-TV license renewal application for hearing pursuant to section 309(k) of the Act.⁷ Accordingly, it is ordered that the informal objection filed by J.C. Plummer **IS DENIED**.

Sincerely,

A handwritten signature in black ink, appearing to read "Hossein Hashemzadeh", with a large, stylized flourish extending to the right.

Hossein Hashemzadeh
Deputy Chief, Video Division
Media Bureau

⁷*Id.*