



Federal Communications Commission
Washington, D.C. 20554

August 7, 2014

CBS Television Stations, Inc.
1800 K Street NW
Suite 920
Washington, D.C. 20006

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

Re: KCNC-TV, Denver, Colorado
File No. BRCT-20051201BQG
Facility ID No. 47903

Dear Petitioner/Licensee:

Petitioner Bob McIntosh filed a petition to deny opposing the license renewal of Station KCNC-TV, licensed to CBS Television Stations, Inc. ("Licensee"). For the reasons set forth below, we deny the petition to deny.

Petitioner contends that the license renewal application for KCNC-TV should not be renewed until indecency complaints against the station are adjudicated.

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, with respect to that station, 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

With respect to the indecency allegation, we do not rule on the merits of Petitioner's allegation but have reviewed the facts presented in the petition and conclude that, even if a violation were adjudicated, any such violation would not justify denial or designation of the license renewal application or demonstrate a pattern of non-compliant behavior.⁴

¹ 47 U.S.C. § 309(k)(1).

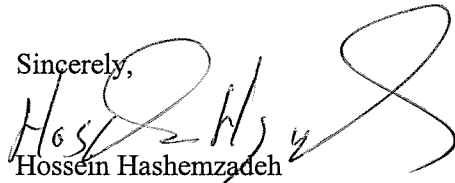
² 47 U.S.C. §309(d)(1); *Astroline Communications Co. Ltd. Partnership v. FCC*, 857 F.2d 1556 (D.C. Cir. 1988) ("Astroline").

³ *Astroline*, 857 F.2d at 1561.

⁴ *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). Moreover, Petitioner's claim that the Licensee's

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 'H6S/2 HJ 4 S', written over the printed name.

Hossein Hashemzadeh
Deputy Chief, Video Division
Media Bureau

appeal of a decision it considered unlawful would call into question its fitness to serve as a Commission licensee is entirely without merit.