

 **Fletcher, Heald & Hildreth**

ROBERT J. BUTLER
HARRY F. COLE
ANNE GOODWIN CRUMP
DONALD J. EVANS
PAUL J. FELDMAN
KEVIN M. GOLDBERG
FRANK R. JAZZO
M. SCOTT JOHNSON
DANIEL A. KIRKPATRICK
MITCHELL LAZARUS
CHENG-YI LIU
STEPHEN T. LOVELADY
JONATHAN R. MARKMAN
SUSAN A. MARSHALL
HARRY C. MARTIN
MICHELLE A. McCLURE
MATTHEW H. McCORMICK
FRANCISCO R. MONTERO
RAYMOND J. QUIANZON
DAVINA SASHKIN
PETER TANNENWALD
JAMES U. TROUP
KATHLEEN VICTORY
HOWARD M. WEISS

* NOT ADMITTED IN VIRGINIA

1300 NORTH 17th STREET, 11th FLOOR
ARLINGTON, VIRGINIA 22209

OFFICE: (703) 812-0400
FAX: (703) 812-0486
www.fhhlaw.com
www.commlawblog.com

RETIRED MEMBERS
VINCENT J. CURTIS, JR.
RICHARD HILDRETH
GEORGE PETRUTSAS
JAMES P. RILEY

OF COUNSEL
ALAN C. CAMPBELL
THOMAS J. DOUGHERTY, JR.
ROBERT M. GURSS*
KATHRYN A. KLEIMAN
TONY S. LEE
ROBERT J. SCHILL
RICHARD F. SWIFT

DONALD J. EVANS
(703) 812-0430
EVANS@FHHLAW.COM

July 28, 2014

Via Courier

Ms. Barbara Kreisman
Chief, Video Division
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

RECEIVED - FCC

JUL 28 2014

Federal Communications Commission
Bureau / Office

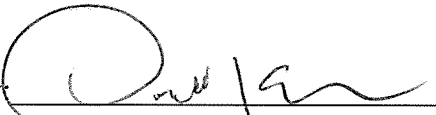
Re: File No. BPCDT-20130528AJP
Petition for Reconsideration

Dear Ms. Kreisman:

The Order released last Friday with respect to deferral of cable carriage of KVKV's signal in the New York DMA (DA 14-1029) noted that the Bureau anticipates that it will be issuing a decision in the above-referenced matter without lengthy delay. The purpose of this letter is to simplify the Commission's decision-making task considerably. PMCM TV, LLC previously indicated that it would voluntarily waive any right to must carry-based channel positioning rights on Channel 3 in the Fairfield County area where Meredith Broadcasting Corp.'s Hartford station, WFSB, is also entitled to assert must carry rights. It appears from p.3 of the Deferral Order that the sole factor giving rise to Commission concern in addressing the PSIP issue is the conflict between KVVV's must carry rights and WFSB's current retransmission consent-based carriage on Channel 3 on several cable systems in Fairfield County. WFSB's carriage on Channel 3 on those systems is not currently, but could in the next election cycle, be based on a must carry election which would require mandatory carriage on Channel 3.

To obviate both any current conflict and any potential future conflict, PMCM TV has been and remains willing to waive any must carry-based rights to channel positioning on Channel 3 in Fairfield County (which is the area where WFSB is entitled to assert mandatory carriage rights) so long as WFSB desires to remain on that channel, whether by retransmission consent or must carry demand. We believe that this concession by PMCM TV eliminates the sole element of uncertainty regarding conflicting carriage rights which might trouble cable operators while permitting PMCM to operate on, and receive cable placement on, its over the air channel throughout the rest of the market. It would also maintain the status quo for WFSB and the cable operators in Fairfield, avoiding any disruption to either party.

Respectfully submitted,
PMCM TV, LLC

By 
Donald J. Eyns
Its Attorney

cc: Michael Basile, Esq.
Joyce Bernstein