



Federal Communications Commission
Washington, D.C. 20554

July 18, 2014

NW Communications of Texas, Inc.
400 N. Capitol Street NW
Washington, D.C. 20001

Re: KDFW(TV), Dallas, TX,
File No. BRCDT-20120530AIF
Facility ID No. 33770

Dear Petitioner/Licensee:

On June 14, 2006, Anna Jarnagin (“Petitioner”) filed a petition to deny opposing the license renewal of Station KDFW(TV), Dallas, Texas, licensed to NW Communications of Texas, Inc. (“Licensee”).¹ On July 14, 2006, the Licensee filed an opposition to the petition. For the reasons set forth below, we deny the petition to deny.

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.² 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;³ 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.⁴

Petitioner requests that, in reviewing the above-captioned license renewal application, the Commission take into consideration the December 10, 2003, airing of the *Billboard Music Awards*. Petitioner contends that the Commission must determine how well the Station has served the public interest and upheld community standards by refusing to air content that many find objectionable, salacious, and indecent.

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

¹ KDFW Licensee, Inc., NW Communications of Texas, Inc.’s predecessor in interest, was the licensee at the time when the petition was filed.

² 47 U.S.C. § 309(k)(1).

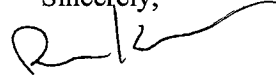
³ 47 U.S.C. §309(d)(1); *Astroline Communications Co. Ltd. Partnership v. FCC*, 857 F.2d 1556 (D.C. Cir. 1988) (“Astroline”).

⁴ *Astroline*, 857 F.2d at 1561.

denial or designation of the license renewal application or demonstrate a pattern of non-compliant behavior.⁵

We therefore conclude that the petition 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 KDFW(TV) license renewal application for hearing pursuant to section 309(k) of the Act.⁶ Accordingly, it is ordered that the petition to deny filed by Anna Jarnagin **IS DENIED**.

Sincerely,



Barbara Kreisman
Chief, Video Division
Media Bureau

cc: Anna Jarnagin
c/o Parents Television Council, Dallas/Fort Worth Chapter
P.O. Box 271597
Flower Mound, Texas 75027

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).

⁶ Letter from Barbara A Kreisman, Chief, Video Division, to Dorann Bunkin, Esq., 22 FCC Rcd 19772, 19773 (Vid. Div. 2007).