



Federal Communications Commission
Washington, D.C. 20554

July 17, 2015

Abacus Television
Benjamin Perez, Owner
514 Chautauqua Street
Pittsburgh, PA 15214-3509

RE: Petition for Eligible Entity Status, Abacus Television, Station WPTG-CD, Pittsburgh, PA (Fac. ID No. 272), FCC File No. BLDTL-20130702ABO

Dear Licensee:

This is with respect to the Petition for Eligible Entity Status ("Petition") filed on July 9, 2015, by Abacus Television ("Licensee"), licensee of station WPTG-CD, Pittsburgh, Pennsylvania ("Station").¹ The Petition requests that the Station be deemed an "eligible facility" for purposes of the incentive auction. On June 19, 2015, the Commission released the *Incentive Auction Second R&O* and denied a Petition for Reconsideration² filed by the Licensee requesting that the Commission exercise its discretion to extend protection in the repacking process to the Station.³ The Petition before us essentially seeks reconsideration of the Commission's decision in the *Incentive Auction Second R&O*. The Commission has already determined that the Station is not eligible for mandatory protection and the Commission has specifically declined to exercise its discretionary authority to extend protection.⁴ This is not the appropriate venue for seeking reconsideration of the Commission's decision.⁵

Accordingly, for the reasons above, including the Commission's rationale in *Incentive Auction Second R&O*, the Petition for Eligible Entity Status filed by Abacus Television **IS DENIED**.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau

¹ Abacus Television Petition for Eligible Entity Status (Jul. 9, 2015).

² Abacus Television Petition for Reconsideration, GN Docket No. 12-268 (Sept. 16, 2014). Abacus also filed a Petition for Leave to File Supplemental Reconsideration, which was denied by the Commission. Abacus Television Petition for Leave to File Supplemental Reconsideration, GN Docket No. 12-268 (Nov. 12, 2014).

³ *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, Second Report and Order on Reconsideration, FCC 15-69, para. 53 (rel. Jun. 19, 2015) ("*Incentive Auction Second R&O*").

⁴ *Incentive Auction Second R&O* at paras. 53-62, *aff'g*, *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268, Report and Order, 29 FCC Rcd 6567, 6670-71, paras 233-34 (2014).

⁵ See 47 C.F.R. § 1.429(b),(i); 47 U.S.C. § 402(a).