



Federal Communications Commission
Washington, D.C. 20554

DA 15-1028

Released: September 16, 2015

(Service via Email)

Donald J. Evans, Esq.
Fletcher, Heald & Hildreth, PLLC
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209
Counsel for PMCM, LLC
(evans@fhhlaw.com)

Tara M. Corvo, Esq.
Seth A. Davidson, Esq.
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
701 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Counsel for Cablevision Systems Corporation and
Time Warner Cable Inc.
(tmcorvo@mintz.com)
(sadaavidson@mintz.com)

Frederick W. Giroux, Esq.
Davis Wright Tremaine LLP
1919 Pennsylvania Avenue, N.W., Suite 800
Washington, D.C. 20006-3401
Counsel for Comcast Cable Communications, LLC
(fredgiroux@dwt.com)

Re: PMCM TV, LLC
WJLP, Middletown Township, NJ
Facility ID No. 86537

Dear Counsel:

By letter dated July 25, 2014, the Media Bureau waived Section 76.64(f)(4) of the Commission's rules to allow Cablevision Systems Corporation ("Cablevision"), Time Warner Cable Inc. ("TWC") and Comcast Cable Communications ("Comcast") (collectively, the "MVPDs") to defer implementing the June 6, 2014, must-carry request and channel 3 position election of PMCM TV, LLC ("PMCM") for television station WJLP, Middletown Township, New Jersey, until 90 days from the date of a final

decision by the Bureau on WJLP's virtual channel.¹ On August 25, 2014, PMCM filed an Application for Review of the *Deferral Letter Order*. Cablevision, TWC, Meredith Corporation ("Meredith"), and ION Media ("ION") oppose the Application for Review, which remains pending.

On June 5, 2015, the Bureau released a *Declaratory Ruling* granting Meredith's Request for Declaratory Ruling that WJLP be assigned virtual channel 33, denying PMCM's "Alternative PSIP Proposal" and associated waiver request that WJLP operate with the two-part virtual channel number 3.10, *et seq.*, and ordering that WJLP operate using virtual channel 33.² Concurrently, the Bureau released a *Cable Carriage Letter Order*,³ noting that release of the *Declaratory Ruling* removed the uncertainty regarding WJLP's virtual channel that had necessitated the *Deferral Letter Order*. In the *Cable Carriage Letter Order*, the Bureau ruled that PMCM's initial must-carry request and channel 3 position election would become effective September 3, 2015, and if the MVPDs did not implement that must-carry request and channel position election within that time, PMCM could invoke the cable carriage enforcement procedures set forth in 47 U.S.C. § 534(d) and 47 C.F.R. § 76.61. Alternatively, the *Cable Carriage Letter Order* permitted PMCM to pursue cable carriage for WJLP on cable channel 33, the virtual channel assigned in the *Declaratory Ruling*. On July 6, 2015, PMCM filed an Application for Review of the *Cable Carriage Letter Order*. ION, Cablevision, and TWC oppose that Application for Review, which remains pending.

The Bureau recently became aware that WJLP has notified its viewers, via its website, that "WJLP Me-TV is coming to Cablevision on channel 33, Comcast on Channel 8, and Time Warner Cable on 1239 in early September!"⁴ In view of that development, we direct PMCM and the MVPDs to inform the Bureau, in writing, of the following information:

1. Whether WJLP is now being carried by the MVPDs.⁵
2. If so, the channel number on which WJLP is being carried and the date on which carriage commenced.
3. Whether the carriage of WJLP, if any, is pursuant to a voluntary agreement between PMCM (or WJLP) and the relevant MVPD.
4. If the carriage of WJLP is *not* pursuant to such a voluntary agreement, a description of the circumstances governing the station's carriage arrangement with each MVPD.
5. The responding party's view on the effect of the current carriage arrangement(s) on PMCM's pending Applications for Review.

¹ See Tara M. Corvo, Esq., Frederick W. Giroux, Esq., Seth A. Davidson, Esq., Donald J. Evans, Esq., 29 FCC Rcd 9102 (MB 2014) ("*Deferral Letter Order*").

² Request for Declaratory Ruling by Meredith Corporation and "Alternative PSIP Proposal" by PMCM TV, LLC for WJLP (formerly KVVN(TV)), Middletown Township, New Jersey, MB Docket No. 14-150, Declaratory Ruling, 30 FCC Rcd 6078 (MB 2015).

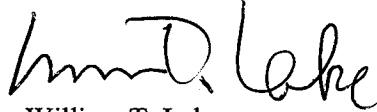
³ Tara M. Corvo, Esq., Frederick W. Giroux, Esq., Seth A. Davidson, Esq., Donald J. Evans, Esq., 30 FCC Rcd 6116 (MB 2015) ("*Cable Carriage Letter Order*").

⁴ [Http://wjlp3.com](http://wjlp3.com) (visited Aug. 31, 2015).

⁵ With respect to questions 1 through 4, PMCM's response should cover all three MVPDs. Each MVPD, however, need only address those questions on its own behalf.

We direct PMCM and the MVPDs to provide the above information within ten (10) business days of the date of this letter. Each responding party should serve its response on all other parties.

Sincerely,

A handwritten signature in black ink that reads "William T. Lake". The signature is written in a cursive style with a large, stylized "W" and "L".

William T. Lake
Chief, Media Bureau

cc: Mace Rosenstein, Esq. (Counsel for ION Media License Company, LLC)
Michael D. Basile, Esq. (Counsel for Meredith Corporation)
William LeBeau, Esq. (Counsel for Turner Broadcasting Systems)
Rosemary C. Harold, Esq. (Counsel for Viacom Inc.)