

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Entravision Holdings, LLC	)	NAL Acct. No. 201541420033
	)	FRN: 0001529627
Applications for License Renewal of	)	File Nos. BRTVA- 20140731AOQ <i>et al.</i> <sup>1</sup>
Stations KVER-CA, Indio, CA; K10OG-D,	)	Facility ID Nos. 69753, 41125, 32177, 11699,
Lompoc, CA; KETF-CD, Laredo, TX;	)	31352, 29885, 74214, 30577, 3072, 48833,
KEVC, Indio, CA; KXOF-CD, Laredo, TX;	)	28280, 51656
KTSB-CD, Santa Maria, CA; K50LZ-D,	)	
San Luis Obispo, CA; WUTH-CD,	)	
Hartford, CT; WUNI, Worcester, MA;	)	
WUVN, Hartford, CT; KCRP-CD, Corpus	)	
Christi, TX; and KTFV-CD, McAllen, TX	)	
	)	
And	)	
	)	
Reclassification of License of Class A	)	Facility ID No. 69753
Station KVER-CA, Indio, CA	)	

**ORDER**

**Adopted: December 11, 2015**

**Released: December 11, 2015**

By the Chief, Media Bureau:

1. In this Order, we adopt the attached Consent Decree entered into between the Media Bureau (the “Bureau”) of the Federal Communications Commission (the “Commission”) and Entravision Holdings, LLC (the “Licensee”), licensee of the above-captioned twelve stations (the “Stations”). Currently pending before the Commission are applications for renewal of the Stations’ licenses (FCC Form 303-S); and an order to show cause why the authorization for station KVER-CA, Indio, CA should not be modified to reflect a reclassification to low-power status.<sup>2</sup>

2. The Bureau and the Licensee have negotiated the terms of the Consent Decree that terminate the above-referenced matters. After reviewing the terms of the Consent Decree and evaluating the facts before us, we find that the public interest would be served by adopting the Consent Decree. A copy of the Consent Decree is attached and incorporated by reference.

3. In the absence of new material evidence relating to this matter, we conclude that the matters referenced above raise no substantial or material questions of fact as to whether the Licensee possesses the basic qualifications to hold a Commission license and that grant of the above-captioned pending license renewal applications is consistent with Section 309(k) of the Communications of 1934, as amended (the “Act”).<sup>3</sup> We have further examined the record surrounding the *KVER-CA Order to Show*

<sup>1</sup> A complete list of the stations and the pending renewal application file numbers is attached at Exhibit A.

<sup>2</sup> *Reclassification of License of Class A Television Station KVER-CA, Indio, California*, Order to Show Cause, 29 FCC Rcd 13583 (Video Div. MB 2014) (*KVER-CA Order to Show Cause*).

<sup>3</sup> Section 309(k)(1) of the Act states that the Commission shall grant a license renewal application “if it finds, with respect to that station, during the preceding term of its license—(a) the station has served the public interest, convenience, and necessity; (b) there have been no serious violations by the licensee of the Act or Commission rules (continued...) ”

*Cause* and find that, pursuant to Section 316(a) of the Act,<sup>4</sup> changing the status for station KVER-CA would not serve the public interest.

4. Accordingly, **IT IS ORDERED** that, pursuant to Sections 4(i), 4(j), and 503(b) of the Communications Act of 1934, as amended,<sup>5</sup> and Sections 0.111 and 0.311 of the Commission's Rules,<sup>6</sup> the Consent Decree attached to this Order **IS ADOPTED**.

5. **IT IS FURTHER ORDERED** that, pursuant to Section 309(k) of the Communications Act of 1934,<sup>7</sup> the application to renew the broadcast licenses of K10OG-D, Lompoc, CA, File No. BRTVA-20140731AOZ; KETF-CD, Laredo, TX, File No. BRTTA-20140331AGA; KXOF-CD, Laredo, TX, File No. BRDTA-20140331AFX; KTSB-CD, Santa Maria, CA, File No. BRTTA-20140731AOX; K50LZ-D, San Luis Obispo, CA, File No. BRDTA- 20140731APA; WUTH-CD, Hartford, CT, File No. BRDTA- 20141128AFJ; WUNI, Worcester, MA, File No. BRC DT-20141128AFK; WUVN, Hartford, CT, File No. BRC DT-20141128AFH; KCRP-CD, Corpus Christi, TX, File No. BRTTA- 20140331AFT; KTFV-CD, McAllen, TX, File No. BRDTA-20140331AGN; KVER-CA, Indio, CA, File No. BRTVA-20140731AOQ; and KEVC-CD, Indio, CA, File No. BRTVA-20140731AOT (and all low power television station licenses associated with these renewal of license applications); **ARE GRANTED**.

6. **IT IS FURTHER ORDERED** that, pursuant to Sections 4(i) and 316 of the Communications Act<sup>8</sup> and Section 1.87 of the Commission's rules,<sup>9</sup> the KVER-CA Class A Reclassification Proceeding<sup>10</sup> **IS TERMINATED**.

7. **IT IS FURTHER ORDERED** that a copy of this Order and Consent Decree shall be sent by both First Class mail and Certified Mail, Return Receipt Requested, to Licensee's counsel, Barry A. Friedman, Esq., Thompson Hine LLP, 1919 M Street, NW, Suite 700, Washington, DC 20036.

FEDERAL COMMUNICATIONS COMMISSION



William T. Lake  
Chief, Media Bureau

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and regulations; and (c) there have been no other violations by the licensee of the Act or Commission rules or regulations which, taken together, would constitute a pattern of abuse." 47 U.S.C. § 309(k)(1). Section 309(k) of the Act states, however, that if the licensee fails to meet this three part standard, the Commission may deny the application—after notice and comment, and opportunity for hearing under Section 309(e) of the Act—"or grant the application on terms and conditions as are appropriate. . . ." 47 U.S.C. §§ 309(k)(2), (k)(3).

<sup>4</sup> 47 U.S.C. § 316(a).

<sup>5</sup> 47 U.S.C. §§ 154(i), 154(j), 503(b).

<sup>6</sup> 47 C.F.R. §§ 0.111, 0.311.

<sup>7</sup> 47 C.F.R. § 309(k).

<sup>8</sup> 47 U.S.C. §§ 154(i) and 316.

<sup>9</sup> 47 C.F.R. § 1.87.

<sup>10</sup> See *KVER-CA Order to Show Cause*.

# **EXHIBIT A**

## Station List

Station	Fac. ID	Community of License	Licensee	Application No.
K100G-D	41125	Lompoc, CA	Entravision Holdings, LLC	BRTVA-20140731AOZ
KETF-CD	32177	Laredo, TX	Entravision Holdings, LLC	BRTTA-20140331AGA
KXOF-CD	11699	Laredo, TX	Entravision Holdings, LLC	BRDTA-20140331AFX
KTSB-CD	31352	Santa Maria, CA	Entravision Holdings, LLC	BRTTA-20140731AOX
K50LZ-D	29885	San Luis Obispo, CA	Entravision Holdings, LLC	BRDTA-20140731APA
WUTH-CD	74214	Hartford, CT	Entravision Holdings, LLC	BRDTA-20141128AFJ
WUNI	30577	Worcester, MA	Entravision Holdings, LLC	BRCDT-20141128AFK
WUVN	3072	Hartford, CT	Entravision Holdings, LLC	BRCDT-20141128AFH
KCRP-CD	48833	Corpus Christi, TX	Entravision Holdings, LLC	BRTTA-20140331AFT
KTFV-CD	28280	McAllen, TX	Entravision Holdings, LLC	BRDTA-20140331AGN
KVER-CA	69753	Indio, CA	Entravision Holdings, LLC	BRTVA-20140731AOQ
KEVC-CD	51656	Indio, CA	Entravision Holdings, LLC	BRTVA-20140731AOT

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Stations KVER-CA, Indio, CA; K100G-D, ) File Nos. BRTVA- 20140731AOQ et
Lompoc, CA; KETF-CD, Laredo, TX; ) al. 11
KEVC-CD, Indio, CA; KXOF-CD, Laredo, ) Facility ID Nos. 69753, 41125, 32177,
TX; KTSB-CD, Santa Maria, CA; ) 11699, 31352, 29885, 74214, 30577,
K50LZ-D, San Luis Obispo, CA; WUTH- ) 3072, 48833, 28280, 51656
CD, Hartford, CT; WUNI, Worcester, MA; )
WUVN, Hartford, CT; KCRP-CD, Corpus )
Christi, TX; and KTFV-CD, McAllen, TX )
And )
Reclassification of License of Class A )
Station KVER-CA, Indio, CA ) Facility ID No. 69753

CONSENT DECREE

1. The Media Bureau of the Federal Communications Commission and Entravision Holdings, LLC ("Entravision"), by their authorized representatives, hereby enter into his Consent Decree for the purpose of: (1) terminating the investigation of possible violations of the Commission's public file rules, pursuant to Sections 73.3526 and 73.3514 of the Commission's rules; and (1) terminating the proceeding to consider the license modification of Station KVER-CA from Class A to low-power status pursuant to Section 316(a) of the Communications Act of 1934, as amended, as set forth in the Video Division's November 4, 2014, Order to Show Cause12 (the "Reclassification Proceeding").

I. DEFINITIONS

- 2. For the purposes of this Consent Decree, the following definitions shall apply:
a) "Act" means the Communications Act of 1934, as amended, 47 U.S.C. § 151 et seq.
b) "Adopting Order" means the Order of the Bureau adopting the terms of this Consent Decree without change, addition, deletion, or modification.
c) "Bureau" means the Media Bureau of the Federal Communications Commission.

11 A complete list of the stations and the pending renewal application file numbers is attached at Exhibit A.

12Reclassification of License of Class A Television Station KVER-CA, Indio, California, Order to Show Cause, 29 FCC Rcd 13583 (Video Div. MB 2014) (KVER-CA Order to Show Cause).

- d) “Commission” and “FCC” mean the Federal Communications Commission and all of its bureaus and offices.
- e) “Communications Laws” means, collectively, the Act, the Rules, and the published and promulgated orders and decisions of the Commission to which Entravision Holdings, LLC is subject by virtue of it being a Commission licensee, including but not limited to 47 C.F.R. §§ 73.3526(b)(2), 73.3526(e)(11)(i), 73.3526(e)(11)(ii), 73.3526(e)(11)(iii), 73.3526(e)(17), and 73.3514(a).
- f) “Current License Period” means from the first quarter of 2007 to the effective date.
- g) “Division” means the Video Division, Media Bureau of the FCC.
- h) “Effective Date” means the date on which the Bureau releases the Adopting Order.
- i) “Entravision” means Entravision Holdings, LLC and its predecessors-in-interest and successors-in-interest.
- j) “Investigation” means both the Reclassification Proceeding and the examination of Entravision’s compliance with the Public File Rules as related to the above captioned applications.
- k) “Parties” means Entravision and the Bureau, each of which is a “Party.”
- l) “Public File Rules” means 47 C.F.R. § 73.3526, including but not limited to, 47 C.F.R. §§ 73.3526(b)(2), 73.3526(e)(11)(i), 73.3526(e)(11)(ii), 73.3526(e)(13), and 73.3526(e)(17), and also 47 C.F.R. § 73.3514(a).
- m) “Reclassification Proceeding” or “Order to Show Cause” means the order the Bureau released on November 4, 2014 requesting that Entravision show cause why the Class A authorization for station KVER-CA should not be modified to low power television status for failure to meet its ongoing Class A eligibility requirements.
- n) “Rules” means the Commission’s regulations found in Title 47 of the Code of Federal Regulations.
- o) “Stations” means Stations KVER-CA, Indio, CA, K10OG-D, Lompoc, CA, KETF-CD, Laredo, TX, KXOF-CD, Laredo, TX, KTSB-CD, Santa Maria, CA, K50LZ-D, San Luis Obispo, CA, WUTH-CD, Hartford, CT, WUNI, Worcester, MA, WUVN, Hartford, CT, KCRP-CD, Corpus Christi, TX, KTFV-CD, McAllen, TX, and KEVC-CD, Indio, CA.

## II. DISCUSSION

3. On March 31, July 31, and November 28, 2014, Entravision filed its license renewal applications (FCC Form 303-S) (the “Applications”) for the Stations with the Commission. In the process of evaluating the Applications, the Bureau identified numerous potential violations of the Commission’s Public File Rules, which are outlined below.

4. Section 73.3526 of the Rules requires each commercial broadcast licensee to maintain a public inspection file containing specific types of information related to station operations. Subsection 73.3526(e)(11)(i) of the Rules requires every commercial television and Class A licensee to place in its public inspection file, on a quarterly basis, a list of issues and programs “that have provided the station’s most significant treatment of community issues during the preceding three month period.” Copies of the issues and programs lists must be “retained in the public inspection file until final action has been taken on the station’s next license renewal application.” Pursuant to subsection 73.3526(b)(2) of the Rules, a station’s issues and programs lists must also be uploaded to a Commission-hosted website. During the current license period, Entravision appears to have failed to file the quarterly issues and programs lists on a timely basis for one or more of the Stations.

5. Subsection 73.3526(e)(11)(ii) of the Rules requires each commercial television and Class A licensee to prepare and place in its public inspection file, on a quarterly basis, records sufficient to substantiate the Station’s certification, in its license renewal application, of compliance with the commercial limits on children’s programming. That subsection also requires licensees to file the reports with the Commission by the tenth day after the close of the reporting quarter. During the current license period, Entravision failed to file its children’s commercial limit certifications in a timely manner for numerous quarters for one or more of the Stations.

6. Subsection 73.3526(e)(13) of the Rules provides that “[e]ach applicant for renewal of license shall, within 7 days of the last day of broadcast of the local public notice of filing announcements required pursuant to § 73.3580(h), place in the station’s local public inspection file a statement certifying compliance with this requirement . . . .” This rule extends to the licensee’s online public file. Entravision’s online public file indicates that Entravision failed to file such certifications in a timely manner or at all for one or more of the Stations.

7. Subsection 73.3526(e)(17) of the Rules requires each licensee of a Class A television station to provide documentation sufficient to demonstrate that it is continuing to meet the eligibility requirements set forth in Section 73.6001 of the Rules. During the current license period, Entravision failed to file Class A certifications consistently for one or more of the relevant Class A Stations at appropriate times.

8. In addition, subsection 73.3514(a) of the Rules provides that “[e]ach application shall include all information called for by the particular form on which the application is required to be filed . . . .” Section IV, Question 3 of the license renewal application requires the licensee to certify that during the license term it has placed all documents required by Section 73.3526 of the Commission’s rules into the Station’s public file at appropriate times. In response to Question 3 in one or more of its license renewal applications, Entravision certified that it had placed all required documents in the respective public inspection files at the appropriate times. However, Entravision failed to disclose in the Applications that it did not file all of its public file documents required by 47 C.F.R. § 73.3526 at the appropriate times.

9. Entravision agrees to comply with the Rules moving forward.

10. In addition to the above potential rule violations, on November 4, 2014, the Division released an Order to Show Cause requesting that Entravision demonstrate why the Class A authorization for station KVER-CA should not be modified to low power television status for failure to meet its ongoing Class A eligibility requirements.<sup>13</sup> Section 316(a) of the Act permits the Commission to modify

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<sup>13</sup> *KVER Order to Show Cause*, 27 FCC Rcd at 13583.

a station authorization if such action is in the public interest.<sup>14</sup> Commission records indicate that KVER-CA was off the air for almost all of the time period from June 22, 2010 until the issuance of the *KVER-CA Order to Show Cause*, which stated that “it appears that Entravision made a business decision to cease operation of KVER-CA, rather than to attempt to meet its Class A obligations and simultaneously prepare for its digital transition.”<sup>15</sup>

11. Entravision responded to the *KVER-CA Order to Show Cause* on December 8, 2014. Entravision explains that it was off-air due to facts and circumstances beyond its control, where Journal Broadcasting Corporation (“Journal”), the licensee for station KMIR-TV, Palm Springs, California, initiated administrative litigation that prevented KVER-CA from promptly operating in digital on two channels that KVER-CA proposed. Journal unilaterally discontinued the pursuit of its challenge to Entravision’s displacements after it secured Commission consent to assign its license for KMIR-TV to a third party, which has not participated in any matter involving KVER-CA.<sup>16</sup> Entravision argues that it has every business reason to operate KVER-CA and its other stations and not to keep them analog and/or silent, and that the considerable time, effort, and expense invested in securing a digital construction permit, along with the prompt subsequent construction of the digital facility following receipt of the digital construction permit, demonstrate that there was never any business decision not to operate KVER-CA.<sup>17</sup>

### III. TERMS OF AGREEMENT

12. **Adopting Order.** The Parties agree that the provisions of this Consent Decree shall be subject to final approval by the Bureau by incorporation of such provisions by reference in the Adopting Order.

13. **Jurisdiction.** Entravision agrees that the Bureau has jurisdiction over it and the matters contained in this Consent Decree and that the Bureau has the authority to enter into and adopt this Consent Decree.

14. **Effective Date; Violations.** The Parties agree that this Consent Decree shall become effective on the Effective Date as defined herein. As of the Effective Date, the Adopting Order and this Consent Decree shall have the same force and effect as any other order of the Commission. Any violation of the Adopting Order or of the terms of this Consent Decree shall constitute a separate violation of a Commission order, entitling the Commission to exercise any rights and remedies attendant to the enforcement of a Commission order.

15. **Termination of Investigation; Grant of Renewal Application.** In express reliance on the covenants and representations in this Consent Decree and to avoid further expenditure of public resources, the Bureau agrees to terminate the Investigation. In consideration for the termination of the Investigation, Entravision agrees to the terms and conditions contained herein. Furthermore, pursuant to Section 309(k)(2) of the Act, the Bureau agrees to grant, in conjunction and simultaneously with the adoption of this Consent Decree, the Stations’ Renewal Applications, without any additional conditions beyond those set forth herein. The Bureau further agrees that in the absence of new material evidence, the Bureau will not use the facts developed in this Investigation through the Effective Date, or the existence of this Consent Decree, to institute on its own motion any new proceeding, formal or informal, or take

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<sup>14</sup> 47 U.S.C. § 316(a).

<sup>15</sup> See *Order to Show Cause*, 27 FCC Rcd at 13585.

<sup>16</sup> Response to Order to Show Cause at 3-6 (filed Dec. 8, 2014).

<sup>17</sup> *Id.* at 6-9.



any action on its own motion against Entravision concerning the matters that were the subject of the Investigation. The Bureau also agrees that in the absence of new material evidence it will not use the facts developed in the Investigation through the Effective Date, or the existence of this Consent Decree, to institute on its own motion any proceeding, formal or informal, or take any action on its own motion against Entravision with respect to Entravision's basic qualifications, including its character qualifications, to be a Commission licensee or to hold Commission licenses or authorizations.

16. **Subsequent Investigations.** Nothing in this Consent Decree shall prevent the Commission or its delegated authority from adjudicating complaints or other adjudicatory pleadings filed against Entravision or its affiliates for alleged violations of the Act or the Commission's rules or for any other type of alleged misconduct, regardless of when such misconduct took place. The Commission's adjudication of any such complaints will be based solely on the record developed in that proceeding. Except as expressly provided in this Consent Decree, this Consent Decree shall not prevent the Commission from investigating new evidence of noncompliance by Entravision with the Communications Laws. It shall also not prevent the Commission or its delegated authority from determining whether reclassification of the relevant Class A Stations' status from Class A to low-power would be consistent with Section 316(a) of the Act in the future should new facts or evidence occurring subsequent to the release date of this Consent Decree come to light. Specifically, by issuance of this Consent Decree, the Commission reminds Entravision that the *Class A Memorandum Opinion and Order on Reconsideration* has concluded that all Class A television licensees have a continuing eligibility requirement, and that the failure to meet this requirement may result in loss of Class A status.<sup>18</sup>

17. **Voluntary Contribution.** Entravision has agreed that it will make a voluntary contribution to the United States Treasury in the amount of Fifty-five thousand dollars (\$55,000.00) within thirty (30) calendar days after the Effective Date, as well as to a Compliance Plan to ensure future compliance with the Rules and the Act. Entravision shall also send electronic notification of payment to Jeremy Miller at [jeremy.miller@fcc.gov](mailto:jeremy.miller@fcc.gov), and Alison Nemeth at [Alison.nemeth@fcc.gov](mailto:Alison.nemeth@fcc.gov), on the date said payment is made. The payment must be made by check or similar instrument, wire transfer, or credit card, and must include the Account number and FRN referenced above. Regardless of the form of payment, a completed FCC Form 159 (Remittance Advice) must be submitted.<sup>19</sup> When completing the FCC Form 159, enter the Account Number in block number 23A (call sign/other ID) and enter the letters "FORF" in block number 24A (payment type code). Below are additional instructions you should follow based on the form of payment you select:<sup>20</sup>

- Payment by check or money order must be made payable to the order of the Federal Communications Commission. Such payments (along with the completed Form 159) must be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000, or sent via overnight mail to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101.
- Payment by wire transfer must be made to ABA Number 021030004, receiving bank TREAS/NYC, and Account Number 201541420033. To complete the wire transfer and ensure appropriate crediting of the wired funds, a completed Form 159 must be faxed to U.S. Bank at (314) 418-4232 on the same business day the wire transfer is initiated.

<sup>18</sup> *Establishment of a Class A Television Service*, Memorandum Opinion and Order on Reconsideration, 16 FCC Rcd 8244, 8257 (2001).

<sup>19</sup> An FCC Form 159 and detailed instructions for completing the form may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>.

<sup>20</sup> Should Entravision have questions regarding payment procedures, it should contact the Financial Operations Group Help Desk by phone at 1-877-480-3201, or by e-mail at [ARINQUIRIES@fcc.gov](mailto:ARINQUIRIES@fcc.gov).

- Payment by credit card must be made by providing the required credit card information on FCC Form 159 and signing and dating the Form 159 to authorize the credit card payment. The completed Form 159 must then be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000, or sent via overnight mail to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101.

18. **Waivers.** Entravision waives any and all rights it may have to seek administrative or judicial reconsideration, review, appeal or stay, or to otherwise challenge or contest the validity of this Consent Decree and the Adopting Order, provided the Bureau issues an Adopting Order as defined herein. Entravision shall retain the right to challenge Commission interpretation of the Consent Decree or any terms contained herein. If either Party (or the United States on behalf of the Commission) brings a judicial action to enforce the terms of the Adopting Order, neither Entravision nor the Commission shall contest the validity of the Consent Decree or the Adopting Order, and Entravision shall waive any statutory right to a trial *de novo*. Entravision hereby agrees to waive any claims it may have under the Equal Access to Justice Act, 5 U.S.C. § 504 and 47 C.F.R. § 1.1501 *et seq.*, relating to the matters addressed in this Consent Decree.

19. **Liability.** Entravision admits, solely for the purpose of this Consent Decree and for Commission civil enforcement purposes, and in express reliance on the provisions of paragraph 15 hereof, that the facts discussed in paragraphs 3-8 above constitute violations of Sections 73.3526(b)(2), 73.3526(e)(11)(i), 73.3526(e)(11)(ii), 73.3526(e)(13), 73.3526(e)(17), and 73.3514(a) of the Rules. Notwithstanding any other provision of this Consent Decree, it is expressly agreed and understood that if this Consent Decree, or paragraph 15 hereof, or both, are breached by the Bureau, or are invalidated or modified to Entravision's prejudice by the Commission, Bureau, or any court, then and in that event the provisions of the immediately-preceding sentence shall be of no force or effect whatever, and Entravision shall not, by virtue of that sentence or any other provision of this Consent Decree, be deemed to have made any admission concerning violations of Sections 73.3526(b)(2), 73.3526(e)(11)(i), 73.3526(e)(11)(ii), 73.3526(e)(13), 73.3526(e)(17), and 73.3514(a) of the Rules.

20. **Compliance Plan.** In recognition that Entravision's policies and practices regarding compliance with the Community Broadcasters Protection Act of 1999 ("CBPA") and Commission's online public file requirements can be enhanced to ensure compliance, Entravision represents that it will adopt and implement a compliance plan at each of the Stations, and at any station acquired by Entravision as well as any station licensed to Entravision that becomes newly subject to the requirements of the CBPA and online public file requirements while the Compliance Plan remains in effect. A copy of the plan is set forth in Exhibit B. Entravision agrees, to the extent that it have not already done so, to implement the Compliance Plan upon issuance of the Adopting Order and to keep such Compliance Plan in effect until December 1, 2021.

21. **Severability.** The Parties agree that if any of the provisions of the Consent Decree shall be held unenforceable by any court of competent jurisdiction, such unenforceability shall not render unenforceable the entire Consent Decree, but rather the entire Consent Decree shall be construed as if not containing the particular unenforceable provision or provisions, and the rights and obligations of the Parties shall be construed and enforced accordingly.

22. **Invalidity.** In the event that this Consent Decree in its entirety is rendered invalid by any court of competent jurisdiction, it shall become null and void and may not be used in any manner in any legal proceeding.

23. **Subsequent Rule or Order.** The Parties agree that if any provision of the Consent Decree conflicts with any subsequent rule or order adopted by the Commission (except an order

specifically intended to revise the terms of this Consent Decree to which Entravision does not expressly consent) that provision will be superseded by such rule or Commission order.

24. **Successors and Assigns.** Entravision agrees that the provisions of this Consent Decree shall be binding on its successors, assigns, and transferees.

25. **Final Settlement.** The Parties agree and acknowledge that this Consent Decree shall constitute a final settlement between the Parties with respect to the Investigation.

26. **Modifications.** This Consent Decree cannot be modified without the advance written consent of both Parties.

27. **Paragraph Headings.** The headings of the paragraphs in this Consent Decree are inserted for convenience only and are not intended to affect the meaning or interpretation of this Consent Decree.

28. **Authorized Representative.** The individual signing this Consent Decree on behalf of Entravision represents and warrants that he is authorized by Entravision to execute this Consent Decree and to bind Entravision to the obligations set forth herein. The FCC signatory represents that he is signing this Consent Decree in his official capacity and that he is authorized to execute this Consent Decree.

29. **Counterparts.** This Consent Decree may be signed in any number of counterparts (including by facsimile), each of which, when executed and delivered, shall be an original, and all of which counterparts together shall constitute one and the same fully executed instrument.

**Media Bureau  
Federal Communications Commission**

By:

\_\_\_\_\_  
William T. Lake  
Chief

\_\_\_\_\_  
Date

**Entravision Holdings, LLC**

By:

\_\_\_\_\_  
Walter F. Ulloa  
Chief Executive Officer, Entravision Holdings,  
LLC

\_\_\_\_\_  
Date

# **EXHIBIT A**

## Station List

Station	Fac. ID	Community of License	Licensee	Application No.
K10OG-D	41125	Lompoc, CA	Entravision Holdings, LLC	BRTVA-20140731AOZ
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KVER-CA	69753	Indio, CA	Entravision Holdings, LLC	BRTVA-20140731AOQ
KEVC-CD	51656	Indio, CA	Entravision Holdings, LLC	BRTVA-20140731AOT

# **Exhibit B**

## COMPLIANCE PLAN OF ENTRAVISION

This Compliance Plan applies to all stations listed in Exhibit A, as well as any station acquired by Entravision or licensed to Entravision that becomes newly subject to the requirements of the CBPA or Section 73.3526 of the Rules. Entravision agrees to be in full compliance with the CBPA and Section 73.3526 of the Rules no later than the Effective Date of the Consent Decree and will remain in compliance thereafter. Unless otherwise provided, all terms defined in the Consent Decree apply to this Compliance Plan.

1. Entravision shall engage independent FCC Counsel on an ongoing basis to provide guidance to Entravision on FCC compliance issues, to provide regular updates and notices on developments in communications law applicable to the stations and the stations operations, and to review all applications, documents, and reports prior to filing with the FCC. In regard to the last matter, Entravision recognizes and acknowledge that any and all information provided to the FCC must completely and candidly set forth all relevant facts and circumstances, regardless of whether such submission may disclose a violation of the Rules or the Act.

2. Entravision will designate a Compliance Officer responsible for responding to employee questions, consulting with FCC Counsel regarding compliance matters, and ensuring all stations operate in compliance with FCC Rules and the Act.

3. The Compliance Officer will conduct training for all station employees and management at least once every twelve (12) months on compliance with FCC Rules applicable to his or her duties at the station. A certification that the aforementioned training has occurred shall be placed in the local public inspection file for each station within three (3) business days.

4. Within one (1) year of the Effective Date of this Compliance Plan, and upon request thereafter, for a period of no more than three (3) years, Entravision will provide the Chief of the Video Division with a written briefing explaining how it has implemented the terms of this Compliance Plan.

5. The Compliance Officer will train any new employee within five (5) business days of commencement of his or her duties at the station.