



Federal Communications Commission
Washington, D.C. 20554

April 7, 2020

Wyomedia Corporation
c/o Howard Liberman
Wilkinson, Barker, Knauer LLP
1800 M Street, NW
Suite 800N
Washington, DC 21613

Front Range Television, LLC
c/o Daniel A. Kirkpatrick
Fletcher, Head & Hildreth PLC
1300 North 17th Street
11th Floor
Arlington, VA 22209

Re: KFNE(TV), Riverton, WY
Fac. ID No. 21613
File No. BALCDT-20191015ABL

KFNR(TV), Rawlins, WY
Fac. ID No. 21612
File No. BALCDT-20191015ABN

KFNB(TV), Casper, WY
Fac. ID No. 74256
File No. BALCDT- 20191015ABO

KLWY(TV), Cheyenne, WY
Fac. ID No. 40250
File No. BALCDT- 20191015ABM

Counsel:

This letter grants the above-captioned unopposed application (Application) for consent to assign the following station licenses from Wyomedia Corporation (Wyomedia), to Front Range Television, LLC (Front Range) (collectively, the Applicants). In connection therewith, this letter also grants the Applicants' unopposed request for operation of KFNE(TV), Riverton, Wyoming, and KFNR(TV), Rawlins, Wyoming, as satellite stations of KFNB(TV), Casper, Wyoming, pursuant to the satellite exception of the multiple ownership rules.¹

In *Television Satellite Stations*, the Commission stated that licensees are entitled to a "presumptive" satellite exception to the local television ownership rule if the parent/satellite combination meets three criteria: (1) there is no City Grade overlap between the parent and the satellite; (2) the proposed satellite would provide service to an underserved area; and (3) no alternative operator is ready

¹ 47 CFR § 73.3555, Note 5.

and able to construct or to purchase and operate the satellite as a full-service station.² As the *Satellite Streamlining Order* noted, “[t]he transition to digital service in 2009 rendered ineffectual the first prong of the . . . presumptive standard,” and that subsequently, the Commission would “evaluate all requests for new or continued satellite status on an *ad hoc* basis.”³ The *Satellite Streamlining Order* further noted that “[a]s a practical matter, the second and third prongs of the Commission’s presumptive standard continued to serve as guidelines under the *ad hoc* review.”⁴

With regard to the second criterion of the traditional analysis, a proposed satellite serves an underserved area if either: (a) there are two or fewer full-service television stations licensed to the station’s community of license (the transmission test), or (b) 25 percent or more of the area within the satellite’s Grade B contour, but outside the parent station’s Grade B contour, is served by four or fewer services (the reception test).⁵

As demonstrated by the Applicants, both KFNE(TV) and KFNR(TV) satisfy the transmission test because KFNE(TV) is the sole full-service television station licensed to Riverton, Wyoming, and KFNR(TV) is the sole full-service television station licensed to Rawlins, Wyoming. Thus, we find that the second criterion is satisfied.⁶

To demonstrate satisfaction of the third criterion of the traditional analysis, the Applicants argue that neither Rawlins nor Riverton can support a stand-alone station. In support of their argument, the Applicants state that the population of Rawlins in the 2010 Census was 8,658, and that the population of Riverton was 10,996.⁷ The Applicants further state that the Casper-Riverton DMA only has approximately 43,760 households and is currently ranked 199th in the nation.⁸ Based on the Applicants’ showing, we find that no alternative operator is ready and able to construct or to purchase and operate the satellite as a full-service station in satisfaction of the third criterion.

Based on the above, we find that the Applicants have set forth sufficient information to warrant satellite operation of KFNE(TV) and KFNR(TV). Given that the stations are the sole full-power commercial television stations in their respective communities of license, do not cover the major population centers in the DMA, and would not be economically viable as stand-alone stations, we find it unlikely that alternative operators would be willing and able to purchase or operate the stations as stand-alone facilities. We likewise see no evidence in the record that granting these satellite exceptions will harm competition in their respective markets. Therefore, based on the record before us, we conclude that granting these requests for satellite exceptions to the multiple ownership rules comply with the Commission’s rules.

² *Television Satellite Station Review of Policies and Rules*, Report and Order, 6 FCC Rcd 4212, 4213-4214, para. 12 (1991) (subsequent history omitted) (*Television Satellite Stations*).

³ *Satellite Streamlining Order*, 34 FCC Rcd at 1540, para. 4 (citing *2014 Quadrennial Regulatory Review — Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 et al.*, Second Report and Order, 31 FCC Rcd 9864, 9876 n.72 (2016)).

⁴ *Id.*

⁵ *Television Satellite Stations*, 6 FCC Rcd at 4215, para. 19.

⁶ See Application for Consent to Assignment of Broadcast Station License, Attachment 18, File No. BALCDT-20191015ABL (filed October 17, 2019).

⁷ *Id.*

⁸ *Id.*

ACCORDINGLY, IT IS ORDERED that the requests for operation of KFNE(TV), Riverton, Wyoming, and KFNR(TV), Rawlins, Wyoming, as satellite stations of KFNB(TV), Casper, Wyoming, pursuant to the satellite exception of Note 5 to section 73.3555 of the Commission's rules **ARE GRANTED**, and that the applications for consent to assign the licenses for the above-captioned stations **ARE GRANTED**.

Sincerely,

/s/

Barbara A. Kreisman
Chief, Video Division
Media Bureau