

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

In the Matter of)	
)	
Ellis Communications KDOC Licensee, LLC)	Facility ID No. 24518
Licensee of Station KDOC-TV)	NAL/Acct. No.: 201541420002
Anaheim, California)	FRN: 0014866487

ORDER

Adopted: September 15, 2015

Released: September 15, 2015

By the Chief, Video Division, Media Bureau:

I. INTRODUCTION:

1. The Video Division issued a Notice of Apparent Liability for Forfeiture (“*NAL*”) to Ellis Communications KDOC Licensee, LLC (the “Licensee”), licensee of Station KDOC-TV, Anaheim, California (the “Station”)¹ in the amount of \$6,000 based on its apparent willful and/or repeated violation of Section 73.3526(e)(11)(iii) of the Commission’s rules (the “Rules”)² by failing to file timely with the Commission its Children’s Television Programming Reports for five (5) quarters and Section 73.3514(a) of the Rules³ for failing to report these violations in its license renewal application (FCC Form 303-S). Based upon our review of the Licensee’s Response and the facts and circumstances surrounding it, we hereby rescind the *NAL* and cancel the proposed forfeiture.

II. BACKGROUND:

2. The *NAL* proposed a forfeiture of \$6,000 based on the Licensee’s apparent willful and/or repeated violation of Sections 73.3526(e)(11)(iii) and 73.3514(a) of the Rules. The Licensee filed a timely Response on April 20, 2015 requesting rescission and cancellation of the forfeiture.⁴ In the Response, the Licensee provided evidence that the Children’s Television Programming Reports for first quarter 2008 and second quarter 2008 were filed on time. The Licensee also contends that: (1) its last late filing was in fourth quarter 2009, which was over five years before the *NAL* was issued; (2) since the last late filing the personnel in charge of filing the Reports has changed and the Station has instituted additional procedures to prevent untimely filings; and (3) the Licensee has a longstanding record of compliance with the Rules and requirements.⁵

III. DISCUSSION

3. Based on the Response and specific facts before us, we find cancellation of the proposed

¹ *ION Media Portland License, Inc., Licensee of KPXG-TV, Salem, Oregon, DA 15-558 (rel. May 8, 2015)*(“*NAL*”)

² 47 C.F.R. § 73.3526(e)(11)(iii).

³ 47 C.F.R. § 73.3514(a).

⁴ Response to Notice of Apparent Liability filed by Ellis Communications KDOC Licensee, LLC. (Apr. 20, 2015)(“Response”).

⁵ Response at 2.

forfeiture and recession of the NAL is warranted. In particular, the Licensee has provided evidence that two of the five purported late filed Children's Television Programming Reports were filed in a timely manner. We find the remaining three late filed reports to be *de minimis* violations. As a result, we also find that cancellation of the proposed forfeiture for the Licensee's failure to report these late filed Children's Programming Reports is appropriate. Though we have determined that the three late filed Children's Television Programming Reports to be a *de minimis* violation, we take seriously all violations of the Rules relating to children's programming. As a result, we **ADMONISH** the Licensee for its violation of Section 73.3514(a) of the Rules⁶ by failing to report its late filed Children's Television Programming Reports in its license renewal application. We do not rule out more severe sanctions for violations of a similar nature in the future.

IV. ORDERING CLAUSES

4. Accordingly, **IT IS ORDERED** that the Notice of Apparent Liability for Forfeiture issued to Ellis Communications KDOC Licensee, LLC is hereby **RESCINDED** and the proposed \$6,000 forfeiture is **CANCELLED**.

5. **IT IS FURTHER ORDERED** that copies of this *NAL* shall be sent, by First Class and Certified Mail, Return Receipt Requested, to Ellis Communications KDOC Licensee, LLC, 888 3rd Street, NW, Suite A, Atlanta, GA 30318, and to its counsel, Joseph A. Godles, Esq., Goldberg Godles Wiener & Wright LLP, 1229 19th Street, N.W., Washington, D.C. 20036-2413.

FEDERAL COMMUNICATIONS COMMISSION



Barbara A. Kreisman
Chief, Video Division
Media Bureau

⁶ 47 C.F.R. § 73.3514(a).