



Federal Communications Commission
Washington, D.C. 20554

September 18, 2015

DA 15-1046

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Alaska Broadcast Television, Inc.
P.O. Box 210830
Anchorage, AK 99521

Re: KCFT-CD, Anchorage, Alaska
Facility ID: 787
FRN: 0019837889

Dear Licensee:

This letter is in reference to the license renewal application for KCFT-CD, Anchorage, Alaska ("Station"), which is licensed to Alaska Broadcast Television, Inc. ("Licensee").¹ We hereby admonish the aforementioned Station for its violation of Section 73.3526(b)(2) of the Commission's rules ("Rules").²

Section 73.3526(e)(11)(i) of the Rules requires every commercial television licensee to place in its public file, on a quarterly basis, a TV issues/programs list which details programs that have provided the station's most significant treatment of community issues during the preceding three month period and which includes a brief narrative of the issue addressed, the time, date, duration, and title of each program in which the issue was treated. TV issues/programs lists must be placed in the Station's public file by the tenth day of the succeeding calendar quarter and copies must be retained until final action has been taken on the station's next license renewal application.³

In 2012 the Commission adopted Section 73.3526(b)(2) of the Rules, which requires licensees to upload elements of stations' public files to an online Commission hosted website (*i.e.*, a Station's "e-pif"). This requirement includes uploading copies of a station's quarterly TV issues/programs lists to its e-pif.⁴ Broadcasters' e-pif requirements were phased in between August 2012 and February 2013. Beginning August 2, 2012, stations were required to post any document that would otherwise be placed in a station's public file, with limited exception, to their e-pif on a moving forward basis. By February 4,

¹ File No. BRDTA-20140924ACY ("KCFT-CD Renewal").

² 47 C.F.R. § 73.3526(b)(2).

³ 47 C.F.R. § 73.3526(e)(11)(i).

⁴ 47 C.F.R. § 73.3526(b)(2); *Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations, Extension of the Filing Requirement for Children's Television Programming Report*, Second Report and Order, 27 FCC Rcd 4535 (2012) ("*Second Report and Order*") (requiring broadcast television stations to post their public inspection files, with limited exception, to an online Commission-hosted database).

2013, stations were required to upload to their e-pif, with limited exceptions, documents that were already in their physical public file prior to August 2, 2012.⁵

On September 24, 2014, the Licensee filed its license renewal application (FCC Form 303-S) for the Station. A staff inspection of the Station's e-pif revealed that the Licensee did not comply with Section 73.3526(b)(2) of the Rules. In particular, the Licensee failed to upload copies of its TV issues/programs lists that were in the Station's physical public file prior to August 2, 2012 to its e-pif.⁶ Such documents were required to be uploaded to the Station's e-pif by February 4, 2013. Following a request by staff, on July 7, 2015 the Licensee uploaded all missing TV issues/programs lists to the Station's e-pif. The Licensee also amended its license renewal application and certified that while it did not upload copies all of its TV issues/programs lists to its e-pif in a timely manner, the documents placed in the station's physical local public inspection file on-time, with the exception of one quarter, and were available to the public for inspection as required.⁷

While these late filings constitute a violation of Section 73.3526(b)(2) of the Rules, we have determined that an admonition is appropriate at this time.⁸ Therefore, based upon the facts and circumstances before us, we **ADMONISH** the Station for its violation of Section 73.3526(b)(2) of the Commission's rules. We do not rule out more severe sanctions for similar violations of this nature in the future. We also remind the Licensee that the Commission expects all television licensees to comply with the Commission's public inspection file rules, including the requirement to upload documents to a Station's e-pif in a timely manner.

Accordingly, **IT IS ORDERED** that, a copy of this Letter shall be sent by First Class and Certified Mail, Return Receipt Requested to the licensee at the address listed above.

Sincerely,



Barbara A. Kreisman
Chief, Video Division
Media Bureau

⁵ See *Effective Date Announced for Online Publication of Broadcast Television Public Inspection Files*, Public Notice, 27 FCC Rcd 7478 (2012)(announcing effective date of electronic public file rule); *Television Broadcast Stations Reminded of Their Online Public Inspection File Obligations*, Public Notice, 27 FCC Rcd 15315 (2012) (reminding station's to upload copies of existing public file documents to their electronic public file); *Television Broadcast Stations Reminded of the Upcoming Public Inspection Filing Deadline*, Public Notice, 28 FCC Rcd 429 (2013)(providing a final remainder to broadcasters to upload copies of existing public file documents to their electronic public file); see also Second Report and Order, 27 FCC Rcd at 4580, para. 97 (establishing compliance periods for complying with broadcasters new electronic public file requirement).

⁶ This includes TV issues/programs lists between first quarter 2007 and second quarter 2012. In addition, the Licensee failed to upload in a timely manner to the Station's e-pif TV issues/programs lists for third quarter 2012, first quarter 2013, second quarter 2013, third quarter 2014 and first quarter 2015. These documents were required to be placed in the Station's e-pif by the tenth the succeeding calendar quarter. 47 C.F.R. 73.3526(e)(11)(i).

⁷ KCFT-CD Renewal at Exhibit 20.

⁸ The Licensee states that it has put in place a system to ensure timely filing of on-line public file documents in the future. *Id.* Although corrective actions may have been taken to prevent future violations, this does not relieve the Station from liability for violations which have already occurred. See *International Broadcasting Corp.*, Memorandum Opinion and Order, 19 FCC 2d 793, 794 (1969) (permitting mitigation as an excuse based upon corrective action following a violation would "tend to encourage remedial rather than preventive action").

cc:

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