



ANNOUNCEMENT

from the Copyright Office, Library of Congress, Washington, D.C. 20559

FINAL SPECIALTY STATION LIST

CABLE COMPULSORY LICENSE; SPECIALTY STATION DETERMINATION

The following excerpt is taken from Volume 55, Number 190 of the Federal Register for Monday, October 1, 1990 (pp. 40021-40022)

LIBRARY OF CONGRESS

Copyright Office

(Docket No. RM 87-7D)

Cable Compulsory License; Specialty Station Determination

AGENCY: Copyright Office, Library of Congress.

ACTION: Final specialty station list.

SUMMARY: The Copyright Office of the Library of Congress issues this notice to publish a final list of specialty broadcast stations in connection with the administration of the cable compulsory license, section 111, title 17 of the United States Code. The Office employed a combination of television broadcaster affidavits and public comments to establish an updated specialty station list. The stations listed allege by affidavit that they qualify as specialty stations under former FCC rules (47 CFR 78.5(kk)) in effect on June 24, 1981.

EFFECTIVE DATE: January 1, 1991.

FOR FURTHER INFORMATION CONTACT: Dorothy Schrader, General Counsel, Copyright Office, Library of Congress, Washington, DC 20559, Telephone (202) 707-6360.

SUPPLEMENTARY INFORMATION:

Background

In response to petitions from members of the public to make certain determinations concerning the administration of the cable compulsory license, 17 U.S.C. 111, the Copyright Office published a notice of inquiry with respect to possible changes in the list of

specialty broadcast stations originally developed by the Federal Communications Commission ("FCC"). On September 18, 1989, a policy decision (54 FR 38461) and a request for information (54 FR 38466) were issued inviting all interested television broadcast stations claiming to qualify as specialty stations under the FCC's former distant signal carriage rules to submit to the Office sworn affidavits stating that in the preceding calendar year the programming of their stations satisfied the FCC's former requirements for specialty station status.

On April 4, 1990, the Office published a list of the stations that filed affidavits (55 FR 12575), and solicited from interested parties comments as to whether any station on the preliminary list failed to qualify as a specialty station. Three sets of comments were received, each containing late requests from broadcast stations which failed to file affidavits within the time periods scheduled for submission of affidavits, comments, or reply comments, as publicly set forth in the Office's announcements in the Federal Register. No filings were received which commented on or objected to the stations contained on the updated specialty station list published April 4, 1990.

The Office hereby publishes a final list of specialty stations, effective January 1, 1991, for the accounting period 1991/1 and thereafter. The list includes only those stations as published for public comment on April 4, 1990. Copyright Office licensing examiners will refer to this list in examining cable systems' claims on their statements of account that

particular stations are specialty stations. If a cable system claims specialty station status for a broadcast television station not on the list, the cable system is expected to make a convincing legal argument in writing as to the validity of its claim that the station deserves specialty station status even though it did not request to be included on the most recent list.

While the Copyright Office originally announced its intention to revisit the specialty station list at three year intervals, the Office has decided to deal with the three late filings now rather than wait three years. Accordingly, although the list published today is final and will be effective January 1, 1991, in a separate notice the Office will open a new public proceeding and invite broadcast stations to submit affidavits in accordance with the procedure published at 54 FR 38461 and 54 FR 38466 (September 18, 1989). Two of the late filings are in proper form and will be considered in the new proceeding. These are filings by KORO (Corpus Christi) and six stations owned by the Telemundo Group. The filing by the Canadian Broadcasting Corporation must be resubmitted in proper affidavit form.

FINAL ANNOTATED LIST OF SPECIALTY STATIONS: CALL LETTERS AND CITIES OF LICENSE

KLUZ..... Albuquerque, New Mexico.
KNAT..... Albuquerque, New Mexico.
K48AM... Albuquerque, New Mexico.
WKBS... Altoona, Pennsylvania.
K38AS... Berkeley, California.
KDOR... Bartlesville, Oklahoma.
KITU... Beaumont, Texas.

WCLJ..... Bloomington, Indiana.
WRDG.... Burlington, North Carolina.
WDUJ.... Canton, Ohio.
WCFC.... Chicago, Illinois.
WGNB... Chicago, Illinois.
WCLF.... Clearwater, Florida.
WTGL.... Cocoa, Florida.
KDTX.... Dallas, Texas.
WTJP.... Gadsden, Alabama.
KUMN.... Garland, Texas.
WLXI.... Greensboro, North Carolina.
WPCB.... Greensburg/Pittsburgh, Pennsylvania.
KFTV.... Hanford/Fresno, California.
KLUJ.... Harlingen, Texas.
W47AD... Hartford, Connecticut.
KWHH... Hilo, Hawaii.
KHAI.... Honolulu, Hawaii.
KATL.... Honolulu, Hawaii.
KETH.... Houston, Texas.
WHMB... Indianapolis, Indiana.
WHKE... Kenosha, Wisconsin.
WWTO... LaSalle, Illinois.
WACX.... Leesburg, Florida.

WEJC.... Lexington, North Carolina.
KMEX.... Los Angeles, California.
KWHY.... Los Angeles, California.
WTKK.... Manassas, Virginia.
WTCT.... Marion, Illinois.
WHFT.... Miami, Florida.
WLTG.... Miami, Florida.
WMPV.... Mobile, Alabama.
KCSO.... Modesto, California.
WMCF.... Montgomery, Alabama.
WHTN... Nashville, Tennessee.
WSFJ.... Newark, Ohio.
KMLM.... Odessa, Texas.
KSBI.... Oklahoma City, Oklahoma.
KTBO... Oklahoma City, Oklahoma.
WSWS... Opelika, Alabama.
WXTV... Paterson, New Jersey.
WHBR... Pensacola, Florida/Mobile, Alabama.
W3SAB... Philadelphia, Pennsylvania.
KPAZ.... Phoenix, Arizona.
KTVW.... Phoenix, Arizona.
KYTN.... Pine Bluff, Arkansas.
KTQZ.... Portland, Oregon.

KTBY.... Poughkeepsie, New York.
KREN.... Reno, Nevada.
WKOI.... Richmond, Indiana.
WAQP.... Saginaw, Michigan.
KWEX.... San Antonio, Texas.
KSCI.... San Bernardino, California.
KDTV.... San Francisco, California.
KTSF.... San Francisco, California.
KTBN.... Santa Anna, California.
CKSH... Sherbrooke, Quebec, Canada.
WHME... South Bend, Indiana.
KTAJ.... St. Joseph, Missouri.
KTBW.... Tacoma, Washington.
K52AO... Tucson, Arizona.
KWHB... Tulsa, Oklahoma.

Dated: September 18, 1990.

Ralph Oman,

Register of Copyrights.

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