



# ANNOUNCEMENT

from the Copyright Office, Library of Congress,  
101 Independence Avenue, S.E., Washington, D.C. 20559-6000

NOTICE OF FINAL SPECIALTY STATION LIST.

## CABLE COMPULSORY LICENSE: SPECIALTY STATION LIST

The following excerpt is taken from Volume 63, Number 235 of the  
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#### Copyright Office

[Docket No. 98-6]

#### Cable Compulsory License: Specialty Station List

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Notice of final specialty station list.

**SUMMARY:** The Copyright Office is publishing a final list of stations listed in affidavits sent to the Copyright Office in which the owner or licensee of the station attests that the station qualifies as a specialty station in accordance with the Federal Communications Commission's (FCC) definition of specialty station in effect on June 24, 1981. The list shall be used to verify the specialty station status of those stations identified as such by cable systems on their semi-annual statements of account.

**EFFECTIVE DATE:** January 1, 1999.

**FURTHER INFORMATION:** David O. Carson, General Counsel, or Tanya M. Sandros, Attorney Advisor, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024. Telephone (202) 707-8380 or Telefax (202) 707-8366.

**SUPPLEMENTARY INFORMATION:** Under the cable compulsory license, section 111 of title 17, United States Code, a cable operator may carry the signal of a television station classified as a specialty station at the base rate rather than at the higher 3.75% rate that is incurred for the carriage of a non-permitted signal. 37 CFR 256.2(c). Specialty station status is determined by reference to

the former regulations of the Federal Communications Commission (FCC) which defined a specialty station as "a commercial television broadcast station that generally carries foreign-language, religious, and/or automated programming in one-third of the hours of an average broadcast week and one-third of the weekly prime-time hours." 47 CFR 76.5(kk) (1981). The FCC no longer determines whether a station qualifies as a specialty station; however, the Copyright Office updates the list periodically, because the list remains relevant to the cable compulsory license scheme.

The Copyright Office published its first specialty station list in 1990 under a procedure which allowed the owner of the station to file an affidavit with the Office attesting to the fact that the station's programming comports with the 1981 FCC definition, and hence, qualifies it as a specialty station. 55 FR 40021 (October 1, 1990). The Office agreed at that time to update the list approximately every three years.

Accordingly, on August 4, 1998, the Copyright Office published a notice asking the owner, or a valid agent of the owner, to file a sworn affidavit with the Copyright Office stating that the station's programming satisfies the FCC's former requirements for specialty station status. 63 FR 41599 (August 4, 1998).

On October 23, 1998, the Office published a notice listing the forty-nine broadcast stations for which the owner or licensee of the station had filed the requested affidavit. 63 FR 56948 (October 23, 1998). In the notice, the Office also requested that any party objecting to any claim to specialty station status submit comments to the Office stating his or her objections. No comments or objections were filed with the Office.

Since the publication of the initial list, the Office has received ten additional affidavits,

attesting to the specialty station status of the identified stations. Because these stations were not listed in the earlier published list, these stations have been identified with an asterisk (\*) in the final list. Any interested party may file an objection to a newly listed station or to any other late-filed affidavit, and the objection shall be filed together with the corresponding affidavit. All affidavits and related comments or objections shall be kept on file in the Licensing Division of the Copyright Office.

The final list of specialty stations, published herein, shall be effective January 1, 1999, for the accounting period 1999/1 and thereafter. Copyright Office licensing examiners shall refer to the final annotated list in examining a statement of account where a cable system operator claims specialty station status for a particular station. If a cable system operator claims specialty station status for a station not on the published final list, the examiner determines whether the owner of the station has filed an affidavit since publication of the list.

#### List of Specialty Stations: Call Letters and Cities of License

CBAFT Moncton, New Brunswick, Canada  
CBFT Montreal, Quebec, Canada  
CBKFT Regina, Saskatchewan, Canada  
CBOFT Ottawa, Ontario, Canada  
CBUFT Vancouver, British Columbia, Canada  
CBVT Quebec City, Quebec, Canada  
CBWFT Winnipeg, Manitoba, Canada  
CBXFT Edmonton, Alberta, Canada  
CFCM-TV Quebec, Quebec, Canada  
CFER-TV Rimouski, Quebec, Canada  
CFTM-TV Montreal, Quebec, Canada  
CHEM-TV Trois-Rivieres, Quebec, Canada  
CHLT-TV Sherbrooke, Quebec, Canada  
CJPM-TV Chicoutimi, Quebec, Canada  
CKSH-TV Sherbrooke, Quebec, Canada

K30CE Austin, TX  
K48AM Albuquerque, NM  
K52AO Tucson, AZ  
KABE-LP Bakersfield, CA  
KCHF Santa Fe, NM  
KDRX-LP Phoenix, AZ  
KDTV-LP Santa Rosa, CA  
KDTV (TV) San Francisco, CA  
KFTV (TV) Hanford, CA  
KLUZ-TV Albuquerque, NM  
KMEX-TV Los Angeles, CA  
KSTS\* San Jose, CA

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KTMD\* Galveston, TX  
KTSF (TV) San Francisco, CA  
KTVW-TV Phoenix, AZ  
KUVN-LP Fort Worth, TX  
KUVN (TV) Garland, TX  
KUVS (TV) Modesto, CA  
KVDA\* San Antonio, TX  
KVEA (TV)\* Corona, CA  
KWEX-TV San Antonio, TX  
KWHY-TV Los Angeles, CA  
KXLN-TV Rosenberg, TX  
W47AD Hartford, CT  
W50BF-TV Sharon (Mercer County), PA  
W63BF Aguadilla, Puerto Rico  
WAQP-TV Saginaw, MI  
WDMR-LP\* Springfield, MA  
WGBO-TV Joliet, IL  
WINM-TV Angola, IN  
WKAQ\* San Juan, Puerto Rico  
WKBS-TV Johnstown/Altoona, PA  
WLTV(TV) Miami, FL  
WLXI-TV Greensboro, NC  
WNYB-TV Jamestown, NY  
WNJU\* Linden, NJ  
WPCB-TV Greensburg/Pittsburgh, PA  
WRDM-LP\* Hartford, Connecticut  
WSCV\* Fort Lauderdale, FL  
WSNS-TV\* Chicago, IL  
WTCT-TV Marion IL  
WTLJ-TV Muskegon, MI  
WXTV-LP Philadelphia, PA  
WXTV (TV) Paterson, NJ

Dated: December 2, 1998.

**David O. Carson,**  
*General Counsel.*

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