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(1936-1981)
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June 23, 1989

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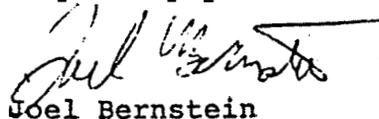
Ms, Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Dear Ms. Searcy:

Transmitted herewith, on behalf of Pegasus Broadcasting of Stockton/Sacramento, California, Inc., licensee of KSCH-TV, Stockton, California, is an original and two copies of a Petition for Declaratory Ruling, requesting that the Commission grant KSCH-TV significantly viewed status in San Joaquin County, California.

Should any questions arise concerning this matter, please contact the undersigned.

Very-truly yours,



Joel Bernstein
Counsel for Pegasus Broadcasting of
Stockton/Sacramento, California, Inc.

Enclosures

COURTESY COPY: Ms, Marcia Glaubeman (w/enc.)*
Ms. Pamela Pusey (w/enc.)*
Mr. Ronald Parver (w/enc.)*

*BY HAND

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

In re Application of)
)
PEGASUS BROADCASTING OF)
STOCKTON/SACRAMENTO, CALIFORNIA, INC.,)
CHANNEL 58, KSCH-TV)
STOCKTON, CALIFORNIA)
)
Request for Significantly)
Viewed Status)
San Joaquin County, California)

PETITION FOR DECLARATORY RULING

Pegasus Broadcasting of Stockton/Sacramento, California, Inc., licensee of television station KSCH-TV, Stockton, California, by its counsel, hereby respectfully requests that a determination be made that television station KSCH-TV is significantly viewed in San Joaquin County, California. In support thereof, the following is stated:

1. A copy of the 1987-1988 Arbitron Television County Cable/Non-Cable Coverage Report for San Joaquin County, California is attached hereto as Exhibit 1. This report is based on four surveys performed by Arbitron, an independent professional surveying firm, during the periods of May 1986, July 1986, November 1986 and February 1987. The report indicates that KSCH-TV achieved an average of three (3) percent share of viewing hours and an average twenty-four (24) percent

net weekly circulation during the periods covered by the report.

2. KSCH-TV is an independent station, as defined in Section 76.5(n) of the Commission's Rules. According to Section 76.5(k) of the Commission's Rules, an independent station, such as **KSCH-TV**, must achieve a share of viewing hours of at least two (2) percent and a net weekly circulation of at least five (5) percent to qualify as a significantly viewed station. **KSCH-TV** has clearly exceeded the minimum criteria for status as a significantly viewed station in San Joaquin County.

3. **KSCH-TV** has complied with the method specified in Section 76.54(d) of the Commission's Rules for demonstrating that a station is significantly viewed on a county-wide basis. **KSCH-TV** went on the air as a new station on April 13, 1986. The surveys used in compiling the Arbitron data are based on four 1/ separate, consecutive four-week periods during the station's first three years of broadcast operations, as required by Section 76.54(d) of the Commission's Rules.

WHEREFORE, the foregoing reasons, Pegasus Broadcasting of Stackton/Sacramento, California, Inc. requests that Station

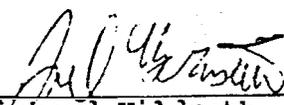
1/ Section 76.54(d) only requires that there be three separate periods. However, the Arbitron data is compiled on a yearly basis, which includes four periods.

KSCH-TV be declared significantly viewed in San Joaquin Count),
California.

Respectfully submitted,

PEGASUS BROADCASTING OF
STOCKTON/SACRAMENTO, CALIFORNIA, INC.

By :


Richard Hildreth
Stephen R. Ross
Joel Bernstein

Of

FLETCHER, HEALD & HILDRETH
1225 Connecticut Avenue, N.W.
Suite 400
Washington, D.C. 20036
(202) 828-5700

Its Attorneys

June 23, 1989

EXHIBIT 1

COUNTY SAN JOAQUIN		STATE 1987-1988 ADI MARKET CA SACRAMENTO-STOCKTON						TOTAL HH 150900	TVHH 144550	TV PCT 98	NON-CABLE HH 72513	NON-CABLE PCT 50	TIME ZONE PACIFIC	IN-TAB HH 248										
STATN CALL CH LTTNS NO	STATN AFFLTN (NON-ADI MKT)	STATION SHARE OF COUNTY VIEWING						NET WEEKLY CIRCULATION -----PERCENT-----							AVERAGE DAILY CIRCULATION -----PERCENT-----									
		TOTAL	MORN DAY TIME	AFTRN DAY TIME	EARLY FRNGE	PRIME ACCSS	PRIME TIME	LATE FRNGE	TVHH (OO)	T T	MN TM	AF TM	E- F	PR AC	P- T	L- F	TVHH (OO)	T T	MN TM	AF TM	E- F	PR AC	P- T	L- F
SACRAMENTO-STOCKTON																								
KCRA	03 N	24	27	18	23	12	25	40	628	87	32	25	44	20	77	28	389	54	21	15	24	7	28	13
KVIE	06 P	3	3	-	3	5	3	1	298	41	7	2	10	8	22	2	104	14	5	1	4	3	5	-
KXTV	10 C	22	19	18	22	36	24	21	644	89	34	25	47	35	73	17	379	52	19	13	30	20	26	8
KOVR	13 A	26	29	41	25	21	25	17	674	93	39	39	60	30	75	19	406	56	25	24	30	12	27	7
KCSO+19	I MODESTO	2	1	2	3	5	2	-	49	7	2	3	4	3	3	-	29	4	1	1	3	3	2	-
KRBK	31 I	7	6	8	10	6	4	6	429	59	19	17	28	9	26	6	178	25	8	8	14	3	5	3
KTXL	40 I	10	12	9	10	9	10	10	487	67	22	17	30	14	40	9	221	30	11	8	15	5	11	3
KSCH	58 I	3	2	1	2	4	3	1	176	24	7	3	8	7	12	3	70	10	3	1	4	2	4	1
MARKET	TOTAL SHARE	97	99	98	98	97	95	97																
MARKET	TOTAL HOURS (OO)	28311	4768	3885	5384	977	8264	1069																
ADI	TOTAL SHARE	92	95	95	92	88	90	95																
ADI	TOTAL HOURS (OO)	26849	4591	3785	5061	882	7849	1054																
SAN FRANCISCO																								
KTVU	02 I	-	-	-	-	-	1	1	61	8	1	-	1	1	3	-	15	2	-	-	-	-	1	-
KRON	04 N	-	-	-	-	-	-	-	34	5	-	-	1	-	2	-	7	1	-	-	-	-	1	-
KGO	07 A	-	-	1	-	-	-	-	58	8	-	2	2	1	3	1	17	2	-	1	1	-	1	-
KICU	36 I SAN JOSE	1	-	-	-	1	1	2	60	8	1	1	1	1	4	1	15	2	-	-	1	-	1	-
KFCB	42 I	1	-	-	-	1	1	-	37	5	1	1	3	1	4	-	15	2	-	-	1	-	2	-
----	OTHER	-	-	-	-	1	-	-	68	9	1	2	3	1	2	-	15	2	-	1	1	-	-	-
MARKET	TOTAL SHARE	3	1	2	2	3	4	3																
MARKET	TOTAL HOURS (OO)	760	55	83	107	30	318	37																
ADI	TOTAL SHARE	2	1	2	2	2	3	2																
ADI	TOTAL HOURS (OO)	576	39	67	83	21	245	21																
OTHER																								
OTHERS	TOTAL SHARE	-	-	-	-	-	1	-																
OTHERS	TOTAL HOURS (OO)	142	11	12	1	1	104	1																
COUNTY	TOTAL SHARE	100	100	100	100	100	100	100																
COUNTY	TOTAL HOURS (OO)	29213	4834	3981	5492	1007	8686	1107																

AFFIDAVIT OF BARRY DELANEY

AFFIDAVIT OF HARRY DELANEY

I, Harry Delaney, under penalty of perjury, hereby etate that the following is true and correct to the best of my knowledge and belief:

(1) I am the General Manager of KSCH(TV), Channel 58, Stockton, California.

(2) I have read the foregoing Petition for Declaratory Ruling and the facts contained therein are true and correct to the best of knowledge tnd belief.

BY: Harry Delaney
Harry Delaney

DATE: 6/20/89

Subscribed and sworn to before me this 21ST day of JUNE, 1989, in the State of CALIFORNIA, County of SACRAMENTO.

Patricia J. Miskanis
Notary Public

My Commission expires: April 24, 1992



CERTIFICATE OF SERVICE

I, Marlene Szach, a secretary in the law firm of Fletcher; Heald & Hildreth, hereby certifies that true copies of the foregoing "Petition for Declaratory Ruling" were sent this 23rd day of June, 1989, by first-class United States mail, postage prepaid to the following:

Sonic Cable TV
1031 Traingle Court
W. Sacramento, CA 95605
ATTN: John Adams

City of Escalon
P. O. Box 248
Escalon, CA 95320
ATTN: Jack Storne

Continental Cablevision
P. O. Box 9400
Stockton, CA 95208
ATTN: Dale Benner

City of Stockton
222 E. Weber Avenue
Stockton, CA 95205
ATTN: Frances Hong

King Videocable
1521 S. Stockton Street
Lodi, CA 95240
ATTN: Deanna Enright

City of Lodi
221 W. Pine Street
Lodi, CA 95240
ATTN: Alice Reimche

Continental Cablevision
129 E. Center Street
Manteca, CA 95336
ATTN: Roy Alvarez

City of Manteca
1001 W. Center Street
Manteca, CA 95336
ATTN: Joann Tilton

USA Cablesystems of CA
P. O. Box 530
Tracy, CA 95378
ATTN: Frank Hausman

City of Tracy
325 E. 10th Street
Tracy, CA 95376
ATTN: Betty Dani

San Joaquin County Board of Supervisors
222 E. Weber Avenue
Stockton, CA 95202
ATTN: Evelyn Costa

KCHY
1029 K Street
Suite 23
Sacramento, CA 95814

KCRA-TV
3 Television Circle
Sacramento, CA 95814

KCSO
P. O. Box 3689
Modesto, CA 95352

KOVR
1216 Arden Way
Sacramento, CA 95815

KRBK-TV
500 Media Place
Sacramento, CA 95820

KTXL
4655 Fruitridge Road
Sacramento, CA 95820

KVIE-TV
P. O. Box 6
Sacramento, CA 95801

KXTV
P. O. Box 10
Sacramento, CA 95801

KTVU
P. O. Box 22222
Oakland, CA 94623

KFTL
290 Hegenberger Road
Oakland, CA 94621

KSBW
238 John Street
Salinas, CA 93901

KQED
500 Eighth Street
San Francisco, CA 94103

KBHK
420 Taylor Street
San Francisco, CA 94132

KICU
P. O. Box 36
San Jose, CA 95106

KOFY
2500 Marin Street
San Francisco, CA 94124

KGO-TV
900 Front Street
San Francisco, CA 94111

KRON
P. O. Box 3412
San Francisco, CA 94109

KPIX
855 Battery Street
San Francisco, CA 94111

KFCB
5101 Port Chicago Highway
Concord, CA 94520

KMST
2200 Garden Road
Monterey, CA 93940

KSMS
Box 2960
Monterey, CA 93942

KDTV
2200 Palou Avenue
San Francisco, CA 94124

KTFS
100 Valley Drive
Brisbane, CA 34005

KWPB
45 Franklin Street, #205
San Francisco, CA 94102

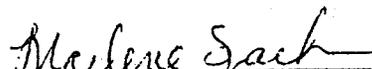
KQEC
500 Eighth Street
San Francisco, CA 94103

KLXV
2315 Canoas Garden Road
San Jose CA 95125

KNTV
645 Park Avenue
San Jose, CA 95510

KCSM
1700 W. Hillsdale Blvd.
San Mateo, CA 94402

KPST
475 El Camino Real
Suite 308
Millbrae, CA 94030


Marlene Szach

(jb4/c-sj)