

November 17, 1999

Honorable William E. Kennard
Chairman
Federal Communications Commission
445 12th Street, S.W.
Room 8-B201H
Washington, D.C. 20554

Dear Chairman Kennard:

I write today to express my concern about the Commission's continuing failure to act on the pending applications for assignment of the licenses of WQEX(TV) and WPCB(TV), Pittsburgh, Pennsylvania.

I am sure you are aware of the extent of the delay at issue. Over three years ago the FCC promised WQED Pittsburgh that the FCC would give "expedited consideration to any application [WQED] might file" to sell WQEX(TV), its struggling second noncommercial station in the market. Over two years ago the applications for authority to assign the license for WQEX(TV) to Cornerstone Television and for Cornerstone to assign its license for WCPB(TV) to Paxson Communications were filed. To date, no decision has been issued, although I am advised that these applications have been awaiting final action in the notation (circulation) voting process for a lengthy period of time.

As I understand it, the Commission's process of voting by circulation is intended to accelerate agency decisionmaking, not provide a convenient method for one or more Commissioners to indefinitely block it. And I further understand that as Chairman you have the prerogative of placing circulation items on the Commission's monthly meeting agenda.

The delay that has already occurred appears incompatible with the responsible execution of the Commission's statutory duties, and further delay would be unacceptable. Please be advised, therefore, that consistent with this Committee's oversight responsibilities I respectfully request that the Commission act on these applications at its regularly-scheduled monthly meeting in December if it has not acted on them in the interim. If in your judgment the Commission cannot meet this request, please advise me of this fact in writing, with a specific and complete explanation, no later than November 18, 1999.

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This letter is not written to secure a favorable resolution for any party on any substantive issue pending before the Commission. Please treat this letter in full compliance with all applicable legal, ethical, and procedural rules.

Sincerely,

John McCain
Chairman

JM/lb