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GENERAL COUNSEL
OF COPYRIGHT

JUN 7 1999

SCRIPPS HOWARD BROADCASTING COMPANY
312 Walnut Street
Cincinnati, Ohio 45202

RECEIVED

June 25, 1999

Copyright Arbitration Royalty Panel
P.O. Box 70977, Southwest Station
Washington, D.C. 20024

Re: *Claim to Cable Royalty Fees by Television Stations of Scripps Howard
Broadcasting Company for Calendar Year 1998*

Dear Sir or Madam:

Pursuant to 17 U.S.C. Section 111(d)(4)(A) and 37 C.F.R., Chapter II, Subchapter B, Part 252, **Scripps Howard Broadcasting Company** ("SHBC") hereby claims that it is entitled to compulsory license fees for secondary transmissions by cable systems for the calendar year 1998.

In compliance with 37 C.F.R. Sections 252.2-5, **SHBC** submits the following information:

I. Name and Address of Claimant

The full name and address of **SHBC** is as follows:

Scripps Howard Broadcasting Company
312 Walnut Street
28th Floor
Cincinnati, OH 45202
(513) 977-3000
(513) 977-3728

SHBC makes this claim on behalf of the following television stations operated by it (the "Stations"):

Scripps Howard Broadcasting Company
--**WCPO-TV**
500 Central Avenue
Cincinnati, OH 45202-2376

Scripps Howard Broadcasting Company
--**KNXV-TV**
515 North 44th Street
Phoenix, AZ 85008

Scripps Howard Broadcasting Company
--**WEWS-TV**
3001 Euclid Avenue
Cleveland, OH 44115

Scripps Howard Broadcasting Company
--**WPTV-TV**
622 North Flagler Drive
West Palm Beach, FL 33401
(P.O. Box 510, Palm Beach, FL 33480)

Scripps Howard Broadcasting Company
--**WFTS-TV**
4045 N. Himes Ave.
Tampa, FL 33607-6607

Scripps Howard Broadcasting Company
--**KSHB-TV**
4720 Oak Street
Kansas City, MO 64112-2236

Scripps Howard Broadcasting Company
--**KJRH-TV**
3701 South Peoria Avenue
Tulsa, OK 74105
(P.O. Box 2, Tulsa, OK 74101)

Scripps Howard Broadcasting Company
--**KMCI-TV**
2951 Four Wheel Dr.
Lawrence, Kansas 66047

Scripps Howard Broadcasting Company
--**WMAR-TV**
6400 York Road
Baltimore, MD 21212-2198

Scripps Howard Broadcasting Company
--**WXYZ-TV**
20777 West 10 Mile Road
P.O. Box 789
Southfield, MI 48037

II. General Statement of the Nature of the Copyrighted Works Providing the Basis for the Claims.

The nature of the copyrighted works the secondary transmission of which provides the basis for the claims of the Stations is as follows:

1. The station produced news, weather, sports, public affairs, entertainment, religious, and children's programs of each of the Stations, including, but not limited to, the following:
 - (a) **WCPO-TV** (Channel 9 News at 5 PM)
 - (b) **WEWS-TV** (NewsChannel 5 at 11; Today's Morning Exchange)
 - (c) **WFTS-TV** (28 Tampa Bay News at 6 PM; Bayview)
 - (d) **KJRH-TV** (2News NBC at 10; 2News NBC at 6)
 - (e) **WMAR-TV** (2 The Point; Newschannel 2 First at 5)
 - (f) **KNXV-TV** (News 15 at 10:00 PM; News 15 at 6:00 PM)
 - (g) **WPTV-TV** (Live On 5)
 - (h) **KSHB-TV** (Speakout; 41 News at 10)
 - (i) **KMCI-TV** (Speakout)
 - (j) **WXYZ-TV** (11PM Action News; Big 10 Ticket)

2. The entire broadcast day of each of the Stations as a compilation.
3. With respect to Stations **WEWS-TV, KSHB-TV, KMCI-TV, WXYZ-TV,** and **WMAR-TV**, the syndicated programs or motion pictures for which those stations are the holders of exclusive exhibition rights against other broadcast stations carried by cable systems in the market area of these Stations as a distant retransmission in 1998.
4. With respect to Station **WMAR-TV**, sports events broadcast in 1998 by that Station under a contract clearly vesting the copyright in the broadcasts in that Station.
5. With respect to Stations **WEWS-TV, KSHB-TV, WXYZ-TV,** and **WMAR-TV**, programs produced by those Stations and broadcast on other stations in 1998.

III. Identification of Secondary Transmissions Establishing Basis for Claims.

<u>Station</u>	<u>Name and Address of Cable System</u>	<u>Date</u>	<u>Name and Time of Program</u>
WCPO-TV Cincinnati, Ohio	FrontierVision Partners, L.P. 1777 South Harrison St. Suite P-200 Denver, CO 80210-3925 Serving: Flemingsburg, KY; Tollesboro, KY	05/22/98	CHANNEL 9 NEWS AT 5PM 5:00 - 6:30 p.m.
WEWS-TV Cleveland, Ohio	Adelphia Cable Communications Box 576 Mansfield, OH 44901 Serving: Fredericktown, Bellville, Butler (Knox County)	11/19/98	TODAY'S MORNING EXCHANGE 10:00 - 11:00 a.m.
	Continental Cablevision of Ohio, Inc. 114 N. Sandusky Ave. Upper Sandusky, OH 43351 Serving: Harpster, Nevada, Pitt Twp. (Wyandot County)	02/10/98	NEWSCHANNEL 5 AT 11 11:00 - 11:35 p.m.

<u>Station</u>	<u>Name and Address of Cable System</u>	<u>Date</u>	<u>Name and Time of Program</u>
<u>WFTS-TV</u> Tampa, Florida	Comcast Cable of Arcadia 5205 Fruitville Rd. Sarasota, FL 34232 Serving: Sarasota County	02/04/98	28 TAMPA BAY NEWS AT 6:00 PM 6:00 - 6:30 p.m.
	Comcast Cable 3010 Herring Avenue Sebring, FL 33870 Serving: Highlands, Polk and Hardee Counties	02/08/98	BAYVIEW 8:00 - 8:30 a.m.
<u>KJRH-TV</u> Tulsa, Oklahoma	Lakeland Cable TV P.O. Box 321 Crowder, OK 74430 Serving: Eufaula	08/19/98	2NEWS NBC AT 10 10:00 - 10:35 p.m.
	Cablecom of Vinita P.O. Box 309 Vinita, OK 74301 Serving: Vinita	10/15/98	2NEWS NBC AT 6 6:00 - 6:30 p.m.
<u>WMAR-TV</u> Baltimore, Maryland	Media Com P.O. Box 440 Millsboro, Delaware 19966 Serving: Omar	03/27/98	NEWSCHANNEL 2 FIRST AT 5 5:00 - 6:00 p.m.
	Adelphia Cable 1039 N. Frederick Pike Winchester, VA 22601 Serving: Winchester, VA	10/11/98	2 THE POINT 7:30-8:00 a.m.
<u>KNXV-TV</u> Phoenix, Arizona	Post-Newsweek Cable 3201 Tower Road Prescott, AZ 86301-3734 Serving: Yavapai County, Prescott Valley, Chino Valley, Yavapai Indian Tribe	12/30/98	NEWS 15 AT 6:00 PM 6:00 - 6:30 p.m.
	News Press & Gazette Cablevision of Lake Havasu 730 N. Acoma Blvd. Lake Havasu City, AZ 86403-3663 Serving: Mohave County, Desert Hills	12/30/98	NEWS 15 AT 10:00 PM 10:00 - 10:35 p.m.

<u>WPTV-TV</u> West Palm Beach, Florida	Falcon Cable TV P.O. Box 780249 Sebastian, FL 32978 Serving: Sebastian, FL	03/05/98	LIVE ON 5 5:00 - 5:30 p.m.
<u>KSHB-TV</u> Kansas City, Missouri	Cablevision of Emporia 714 Commercial Emporia, Kansas 66801 Serving: Salina, KS	03/21/98	SPEAKOUT 6:00 - 6:30 a.m.
	Marshall Cable TV 117 E. Arrow Marshall, Missouri 65340 Serving: Marshall, Missouri	09/02/98	41 NEWS AT 10 10:00 - 10:30 p.m.
<u>KMCI-TV</u> Lawrence, Kansas	Multi-Media 931 SW Henderson Blvd. Garnett, KS 66615 Serving: Garnett, Kansas	07/26/98	SPEAKOUT 6:30 - 7:00 a.m.
<u>WXYZ-TV</u> Southfield, Michigan	Harron Cable TV P.O. Box 1287 Caseville, MI 48725 Serving: Deckerville	02/11/98	11PM ACTION NEWS 11:00 - 11:35 p.m.
	Bresnan Communications 115 E. McLeod Ave. Ironwood, MI 49938 Serving: Watersmeet	11/14/98	BIG 10 TICKET 11:30 a.m. - Noon

If you have any questions regarding SHBC's claim, please contact Rose Mary Wenstrup,
Baker & Hostetler, 3200 National City Center, Cleveland, Ohio 44114-3485, (216) 861-7450.

Respectfully submitted,

**SCRIPPS HOWARD BROADCASTING
COMPANY**

By: 

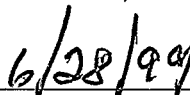
Terry H. Schroeder

CERTIFICATE OF MAILING

The undersigned officer of claimant **Scripps Howard Broadcasting Company** hereby certifies that on this 28 day of June, 1999, he has caused the original and two copies of this duly signed letter to be sent by regular mail, postage prepaid, to the Copyright Arbitration Royalty Panel, P.O. Box 70977, Southwest Station, Washington, D.C. 20024.



Terry H. Schroeder



Date