



Federal Communications Commission
Washington, D.C. 20554

June 12, 2024

DA 24-556
Released: June 12, 2024

Legacy Broadcasting, LLC
619 Aubrey Circle South
Greenwood, MS 38930

Re: KMLU(TV), Columbia, LA
Facility ID No. 52046
FRN: 0023894017
LMS File No. 0000134394

Dear Licensee:

This letter is in reference to the license renewal application (Application) for KMLU, Columbia, Louisiana (Station), which is licensed to Legacy Broadcasting, LLC (Licensee).¹ As discussed below, we hereby admonish the Licensee for its failure to include non-discriminatory language in the Station's advertising sales agreements.²

In the *Promoting Diversification of Ownership in the Broadcast Services Report and Order*, the Commission required commercial TV and radio broadcasters to certify in their renewal applications that their advertising sales agreements contained nondiscrimination clauses.³ On March 14, 2011, the Media Bureau issued a public notice revising FCC Form 303-S for both radio and television stations to include a certification asking licensees if they complied with this requirement.⁴ The Public Notice stated that if a licensee certified "No" they "must attach an exhibit explaining the persons and matters involved and why the matter is not an impediment to grant the station's license renewal application."⁵ On March 22, 2011, the Enforcement Bureau released an Enforcement Advisory reminding licensees of their obligation to

¹ Application of Legacy Broadcasting, LLC for Renewal of License, LMS File No. 000052046 (filed Feb. 1, 2021) (Application).

² Application at Non-Discriminatory Advertising Sales Agreements Certification, Attach. KMLU Non-Discriminatory Advertising Sales Agreements.

³ *Promoting Diversification of Ownership in the Broadcasting Services*, Report and Order and Third Further Notice of Proposed Rulemaking, 23 FCC Rcd 5922, 5941, para. 49 (2008).

⁴ *Media Bureau Announces Revisions to License Renewal Procedures and Form 303-S; Radio License Renewal Cycle to Commence on May 2, 2011*, Public Notice, 26 FCC Rcd 3809, 3810 (MB 2011). See also *Media Bureau Announces Procedures for 2020-2023 Television License Renewal Cycle*, Public Notice 35 FCC Rcd 3656 (MB 2020) (announcing availability of the revised license renewal form – Form 2100, Schedule 303-S – which maintained the certification relating to non-discrimination clauses in joint sales agreements).

⁵ *Id.* NCE licensees are not required to make this certification and, therefore, were instructed to select "not applicable." *Id.* KMLU is a commercial television station.

certify on their renewal application that their advertising sales contracts do not discriminate on the basis of race or ethnicity and that such contracts contain non-discrimination clauses.⁶

In its Application, the Licensee responded “No” to the certification stating: “Commercial licensee certifies that its advertising sales agreements do not discriminate on the basis of race or ethnicity and that all such agreements held by the licensee contain non-discrimination clauses.”⁷ The Licensee provided an attachment to its Application stating that “Licensee certifies that its advertising sales agreements do not discriminate on the basis of race or ethnicity. Licensee will include non-discrimination clauses in written sales documentation going forward.”⁸ The Licensee did not provide further explanation.

While the Licensee certified “No” in its Application, there has been no evidence presented to the Commission that the Licensee or the Station has engaged in discriminatory behavior with regards to its advertising. We therefore conclude that the Licensee’s failure to include non-discrimination clauses in the Station’s advertising sales agreements does not warrant a monetary forfeiture. However, future failures to include non-discrimination clauses in advertising sales agreements may result in more severe sanction, including the assessment of monetary forfeiture.

Accordingly, **IT IS ORDERED** that, the application for renewal of license of KMLU(TV), Columbia, Louisiana **IS GRANTED** and Legacy Broadcasting, LLC **IS ADMONISHED** for its failure to include non-discrimination clauses in the Station’s advertising sales agreements. **IT IS FURTHER ORDERED**, that copies of this Letter shall be sent, by First Class and Certified Mail, Return Receipt Requested, to Legacy Broadcasting, LLC, 619 Aubrey Circle South, Greenwood, MS 38930, and e-mail at sherryn@legacybroadcasting.com. In addition, a copy of this letter shall be sent to its counsel, Scott Pippin, Esq., via e-mail at spippin@lermansenter.com.

Sincerely,

/s/

Barbara A. Kreisman
Chief, Video Division
Media Bureau

⁶ See *FCC Enforcement Advisory, Non-Discrimination in Broadcast Advertising*, Public Notice, 26 FCC Rcd 3875 (EB 2011).

⁷ Application at Non-Discriminatory Advertising Sales Agreements Certification.

⁸ Application at Attach. KMLU Non-Discriminatory Advertising Sales Agreements.