

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
the Applications of
UTV of San Francisco, Inc., KCOP Television, Inc.
UTV of San Antonio, Inc., Oregon Television, Inc.,
UTV of Baltimore, Inc., WWOR-TV, Inc., and
UTV of Orlando, Inc. and United Television, Inc.
(Assignors)
and
Fox Television Stations, Inc.
(Assignee)
For Consent to the Assignment of Licenses
for Stations KBHK-TV, San Francisco, CA;
KCOP-TV, Los Angeles, CA; KMOL-TV,
San Antonio, TX; KPTV-TV, Portland, OR;
WUTB-TV, Baltimore, MD; WWOR-TV,
Secaucus, NJ; WRBW-TV, Orlando, FL;
KMSP-TV, Minneapolis, MN; KTVX-TV,
Salt Lake City, UT; KUTP-TV, Phoenix, AZ
File Nos. BALCT-20000918ABB,
ABC, ABD, ABF, ABK, ABL,
ABM, ABN, ABU, ABY, ABG,
ABH, ABI, ABJ, ABO, ABP,
ABQ, ABR, ABS, ABV, ABW,
ABX, ABZ, ACA, ACB, ACC,
ACD, ACE

ORDER ADOPTING PROTECTIVE ORDER

Adopted: February 27, 2001

Released: March 1, 2001

By the Chief, Mass Media Bureau:

1. On December 13, 2000, The News Corporation Limited (News Corp.) offered to provide information regarding the financial condition of The New York Post to assist the Commission in its review of the above-referenced assignment applications, conditioned upon Commission confirmation that "any and all financial information" FTS may provide in the future would be treated as confidential under Sections 0.457 and 0.459 of the Commission's rules. 47 C.F.R. §§0.457 and 0.459. News Corp. asserted that the information was entitled to confidential treatment prior to review by the Commission because it was not the type that would customarily be made available to the public, and because disclosure would cause competitive harm. On December 21, 2000, the Mass Media Bureau issued a Letter of Inquiry that dismissed the original request for confidential treatment as premature. News Corp. responded by filing a financial document on January 25, 2001, accompanied by a second request for confidential treatment reiterating the arguments raised in the initial request. News Corp. further requested

issuance of a Protective Order.

2. The Office of Communications, Inc. of the United Church of Christ, *et al.* (Petitioners) filed three objections to News Corp.'s confidentiality requests. The Petitioners argued that News Corp. failed to demonstrate that confidential treatment of the financial information was consistent with Section 0.459 of the Commission's rules, and that a Protective Order was not appropriate within the context of a broadcast assignment application. On February 8, 2001, however, News Corp. and the Petitioners notified the Bureau that an agreement had been reached regarding the form and substance of a proposed Protective Order. News Corp. and the Petitioners jointly requested that the Commission release a decision adopting the negotiated Protective Order.

3. After due consideration, we are persuaded that the public interest would be served by approving the attached Protective Order (Appendix A) which reflects the agreement negotiated between News Corp. and the Petitioners. We conclude that granting the attached Protective Order will facilitate the prompt resolution of the issues raised in this proceeding. This Order does not constitute a resolution of the merits concerning whether the confidential documents would be released publicly by the Commission upon a proper request under the Freedom of Information Act (FOIA) or otherwise.

4. Accordingly, IT IS ORDERED, that the request for approval of the attached Protective Order IS GRANTED.

FEDERAL COMMUNICATIONS COMMISSION

Roy J. Stewart
Chief, Mass Media Bureau