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July 9, 2008

Federal Communications Commission
c/o U.S. Bank-Government Lockbox #979093
SL-MO-C2-GL
1005 Convention Plaza
St. Louis, MO 63101
Attn: FCC Government Lockbox

**Re: The CW Network, LLC
Request for Special Temporary Authority to Deliver Programs to Foreign
Broadcast Station**

Dear Sir or Madam:

The CW Network, LLC ("The CW") hereby requests special temporary authority ("STA") in order to deliver its widely-viewed television programs electronically to XETV(TV and -DT), Tijuana, Baja California, Mexico for broadcast into the United States beginning on August 1, 2008. An STA is needed to ensure that the hundreds of thousands of viewers in and around San Diego can continue to receive The CW's popular programming in both analog and digital format as of that date.

On July 3, 2008, The CW, the nation's fifth broadcast television network, filed an application on FCC Form 308 for a five-year permit to deliver its programming to XETV (FCC File No. 325-NEW-20080703-00004, hereinafter the "CW Section 325 Application"). The CW anticipates delivering for rebroadcast over XETV's analog and digital transmission facilities approximately 30 hours per week of programming, including such popular "prime time" offerings as *America's Next Top Model*, *Gossip Girl*, *Everybody Hates Chris*, *Smallville* and *Supernatural*, as well as a five-hour block of animated programming on Saturday mornings directed at children. As indicated in the cover letter to the CW Section 325 Application, The CW currently is carried in the San Diego Nielsen Designated Market Area by KSWB(TV). However, pursuant to a change in network affiliation, KSWB will cease carriage of The CW's programming as of July 31, 2008.¹

¹ The CW understands that KSWB will become an affiliate of the Fox Television Network ("Fox") as of August 1, 2008. As the Commission is aware, for many years, XETV had received television programming from Fox for delivery to viewers in the San Diego market pursuant to authority granted by the Commission (See, e.g., FCC File No. 325-RWL-20060901-0004, granted December 5, 2006).

In order to ensure that viewers in the San Diego area are not deprived of The CW's popular television programs, The CW and the entity that provides programming and sales services to XETV, Bay City Television, Inc. ("Bay City"), have completed negotiations on an agreement whereby The CW would deliver programming to XETV beginning on August 1, 2008 (the "Bay City/CW Agreement"). A copy of a fully-executed Bay City/CW Agreement will be provided to the Commission in the near term.

Because negotiations on the Bay City/CW Agreement were not completed until late in the day on July 2, 2008, The CW requested expedited processing of the pending CW Section 325 Application so that a permit could be granted in advance of the agreed-upon August 1 commencement date for CW program delivery. Indeed, the Commission already has completed its initial review of the CW Section 325 Application and placed it on a Public Notice (*see* Report No. 325-00125, rel. July 8, 2008). However, in recognition of the fact that the Commission may not be able to process and approve the CW Section 325 Application prior to August 1, 2008, The CW hereby requests STA in order to begin providing programming directly to XETV during any period after August 1 that the CW Section 325 Application remains pending.²

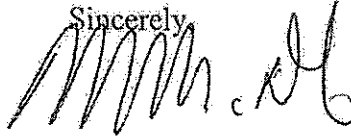
As indicated above, XETV has been serving the San Diego television market with U.S.-based programming for many years. The only difference between XETV's operations prior to August 1, 2008 and thereafter is that XETV will be providing its San Diego audience with programming from The CW, rather than from Fox. Accordingly, grant of this STA request serves the public interest as it would ensure that the hundreds of thousands of viewers in and around San Diego will not be deprived of the ability to receive The CW's popular television programming as of August 1, 2008.

Although the Commission's fee filing guide does not specifically provide for a fee for STA requests for Section 325 authority, a filing fee of \$90.00 is being forwarded to the Commission's lockbox in St. Louis, Missouri on the assumption that a fee for a Section 325 application applies. Accordingly, enclosed is FCC Form 159, Remittance Advice, which contains credit card information authorizing payment in the amount of \$90.00.

² See 47 U.S.C. §309(e)(2)(G). On June 30, 2008, the Commission renewed Bay City's separate permit to provide programming to XETV (FCC File No. 325-RWL-20080505-00002). The CW understands that Bay City plans to inform the Commission by letter that as of August 1, Bay City will no longer be receiving programming from Fox for broadcast on XETV, and that The CW programming may be delivered to XETV under the broad scope of its own permit. However, since there may be technical uncertainties relating to the ability of The CW and Bay City to deliver The CW programming in both analog and digital formats from Bay City's studios in San Diego to XETV's Master Antenna facility in Tijuana during any period after August 1 that the CW 325 Application remains pending, the parties may need an alternative means of delivering the programs directly to XETV. Grant of the instant STA request therefore is necessary to ensure that The CW programming will remain available in the San Diego market, in both analog and digital formats, from and after August 1, 2008 and moreover reflects the parties' long-term preference for The CW to transmit its signals directly to the Tijuana facility.

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Should there be any questions regarding this matter, please contact the undersigned directly.

Sincerely,


Mark B. Denbo
Counsel for The CW Network, LLC

Enclosures

cc: Linda P. Armstrong/FCC
Janice Shields/FCC

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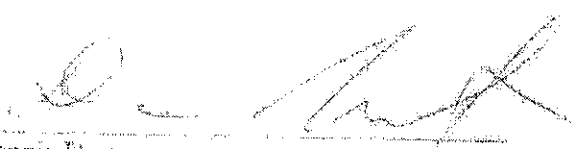
CERTIFICATION

I, Dennis Dort, Vice President and attorney-in-fact for The CW Network, LLC ("The CW"), hereby certify that:

(1) All statements in the foregoing request for Special Temporary Authority are true, complete, and correct to the best of my knowledge and belief, and are made in good faith, and

(2) No party to this application is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Sec. 853(a).

By:


Dennis Dort
Vice President, Legal and Attorney-in-fact
The CW Network, LLC

DATE: July 1, 2008