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Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington DC 20554

18-349

DEC 21 2018

Federal Communications Commission  
Office of the Secretary

Re: Notice of Ex Parte Communication, MB Docket Nos. 18-184 and 18-227

Dear Ms. Dortch:

On September 27, 2018, Caroline Beasley, Chief Executive Officer, Beasley Media Group, Bruce Goldsen, President/Co-Owner, Jackson Works, Inc., Randy D. Gravley, President and CEO, Tri State Communications, Inc., Kim Guthrie, President, Cox Media Group, and Steve Newberry and the undersigned, both of the National Association of Broadcasters, met with Commissioner Michael O'Rielly and his Chief of Staff and Media Legal Advisor, Brooke Ericson, to discuss certain issues raised in the above-captioned proceedings.

Specifically, the participants discussed the ongoing transformation of the audio marketplace that warrants a fresh look at the local radio ownership limits in the upcoming the 2018 quadrennial review. They noted that local radio stations faced far less external competition when the FCC adopted the current local radio limits in 1996. Today, local broadcasters face intense competition for both listeners and advertising revenues from satellite radio, YouTube, Facebook, Spotify and many other radio alternatives that operate free of any comparable regulatory limits.

The current ownership limits essentially ignore the virtually infinite number of competitive sources that listeners turn to for audio service and that advertisers use to reach consumers in local markets. The resulting environment has made it far more challenging for local stations to provide news and information programming, including emergency programming. Ownership limits that reflect the realities of today's marketplace could help local radio stations enhance their offerings and retain listeners. NAB is only seeking a more level playing field with broadcasters' largely unregulated competitors.

It is for these reasons that NAB submitted a proposal in June 2018 that would modernize the current local radio ownership limits in larger markets and provide additional relief in smaller markets where the competitive challenges are even more daunting due to fewer listeners and less advertising dollars. NAB has requested that the Commission give serious consideration to NAB's proposal during the 2018 quadrennial review.

The parties also discussed the ongoing proceeding regarding the introduction of a new Class C4 radio service and creation of a new procedure in which an FM station could trigger reclassification of another station under Section 73.215 of the rules (MB Docket No. 18-184). The broadcasters explained that both proposals would cause more additional congestion on the already crowded FM band, and increase the risk of interference among services. Moreover, the latter proposal would unjustly hamper FM stations from subsequently improving their facilities or responding to changing technical, demographic and other conditions. NAB reiterated our opposition to both of those proposals.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Rick Kaplan", with a long horizontal flourish extending to the right.

Rick Kaplan  
General Counsel and Executive Vice President  
Legal and Regulatory Affairs

cc: Commissioner Michael O'Rielly, Brooke Ericson