



February 2, 2018

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

Re: *Ex Parte* disclosure pursuant to 47 C.F.R. § 1.1206(b) In the Matter of Applications of Sinclair Broadcast Group and Tribune Media Company for Consent to Assign or Transfer Control of Licenses and Authorizations, MB Docket No. 17-179

Dear Ms. Dortch:

On January 31, 2018, the following individuals – Ellen Schned, representing independent programmers, including RIDE TV; Brian Hess, Sports Fans Coalition; John Howes, Computer and Communications Industry Association; and Joshua Seidemann, NTCA – The Rural Broadband Association – together representing the Coalition to Save Local Media, met with David Grossman, chief of staff and media policy advisor to Federal Communications Commission (FCC) Commissioner Mignon Clyburn.¹

Members of the Coalition to Save Local Media – a broad, diverse coalition committed to protecting viewpoint diversity and localism – raised significant concerns with the proposed transaction between Sinclair Broadcast Group (Sinclair) and Tribune Media Company (Tribune) under review at the FCC in the above-referenced proceeding. Coalition members highlighted the fact that the proposed merger will give Sinclair anti-competitive leverage in retransmission consent negotiations with independent programmers, including RIDE TV, and noted that an FCC Media Bureau investigation found that Sinclair engaged in prohibited joint negotiations between April 2, 2015 and November 30, 2015.² This anti-competitive leverage will raise prices for consumers and enable the Sinclair to increase license fees. Sinclair also uses threats of blackouts during important sports events as leverage during retransmission negotiations – putting the sports fans in the crossfire. The transaction would also position Sinclair to delay and dominate the spectrum repackaging process. In addition, coalition members noted that with an anticipated national audience reach of 72 percent and the centralized production of “must run” segments, the Sinclair-Tribune merger would reduce viewpoint diversity, degrade the already dismal landscape for

¹ For a full list of members, please see the coalition website at: www.savelocalmedia.com.

² See *In the Matter of Sinclair Broadcast Group, Inc.*, Acct No. MB-201641420017 (rel. July 29, 2016), p. 5: “In the course of the Investigation, the [Media] Bureau found that Sinclair represented numerous Non-Sinclair Stations in retransmission consent negotiations with MVPDs between April 2, 2015 [...] and November 30, 2015. More specifically, during this time period, Sinclair negotiated retransmission consent on behalf of, or coordinated negotiations with, a total of 36 Non-Sinclair Stations with which it had JSAs, LMAs, or SSAs, concurrently with its negotiations for retransmission consent of at least one Sinclair Stations in the same local market.”

independent programming, and lead to further industry consolidation. The result will be less broadcaster competition and reduced independent programming with higher prices and less choice for consumers.

Members of the coalition emphasized that the proposed merger would result in significant job loss and reduced localism. Sinclair has demonstrated a pattern of cost-cutting local news, sports, and weather operations after acquiring a station. After Sinclair purchased highly-rated WJLA TV in 2013, it decimated the news operation. Sinclair fired several on-air talent, including entertainment reporter Arch Campbell, sports anchor Leon Harris, and 44-year veteran and one of the first female African-American anchors Maureen Bunyan, along with many behind-the-scenes news producers and photographers. Gordon Peterson, a long-time news anchor, left the station on principle along with the news director. While transactions can create synergies between merged companies, Sinclair's unique "central casting" editorial practice – in which Sinclair requires local affiliates to run news and editorial content produced at corporate headquarters – as well as its use of joint service and shared service agreements, suggest significant job loss will follow the merger. Moreover, Sinclair has a long history firing local sports reporting teams from acquired stations. Sports fans still rely on local broadcasts for high school and minor league sports, but may lose access to these stories if Sinclair cuts local operations, as it has in the past.

Based on the record in this proceeding, the FCC must conclude that the Sinclair-Tribune merger does not serve the public interest and will lead to higher prices and less choice for consumers. Transaction-related public interest harms to viewpoint diversity, localism, and competition overwhelm any purported public interest benefits. Sinclair's post-merger scale will seriously reduce competition – particularly for independent programmers – enhance the company's ability to dominate the spectrum repacking process, and will result in significant job loss and less local news production.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Thorn", with a stylized, flowing script.

Brian Thorn
Strategic Research Associate
Communications Workers of America
501 Third Street, NW
Washington, DC 20001
202-434-1131
bthorn@cwa-union.org

cc: David Grossman