As a political science student doing research on regulations, I respectfully submit the following comment in response to the Notice of Proposed Rulemaking on the Commission’s national television multiple ownership rule. The Commission should take actions to better facilitate a healthy marketplace of ideas and a healthy growth of media in a free society.

When determining the final rule, the Commission could utilize the following considerations:

1. The Commission has broad authority and inherent policy goal to promote public interest, specifically protecting localism, diversity, and competition in the context of regulating national television ownership. The Commission should and is bound to take actions to determine whether the current regulation serves purposes and what changes it needs to be updated. Though Congress and U.S. Court of Appeals for the Third Circuit excluded the review of the national audience reach cap from the Commission’s quadrennial review, the Commission still holds the broad authority to license and regulate interstate communications. The public interest goals promoted by the Commission are supported by the Supreme Court in Associate Press v. United States (1945) and Turner Broadcasting System, Inc. v. F.C.C. (1994).
2. Before the determination of the final rule, the Commission should reach out to every available channel of communication for expert analysis on the effects of modification of the UHF discount and the current cap at 39% level. Such analysis should be thorough and statistically based. The Commission has once taken away the UHF discount in 2016 and reinstated it in 2017. As three other comments mentioned, the reinstated UHF discount has allowed two big media groups to attempt a merger to own over 70% of the country’s airwaves. It is the Commission’s responsibility to thoroughly investigate the effects of the UHF discount and the 39% cap and determine what’s best to promote public interest. As the Commission concluded, the discount and the cap are inextricably linked and the elimination of the discount without considering the cap was in error. This time, the Commission should make sure to conduct enough study making another decision modifying the UHF discount and the 39% cap to avoid another error in decision making.
3. If the Commission decides to modify the current cap and the UHF discount, it should take into consideration all historical and current trends in the realm of national television ownership. The questions the Commission asks in the NPRM focus mainly on the recent development or fresh look of online alternatives in the marketplace. It is important to keep in mind the concentration in the broadcast ownership that has taken place, and how those mergers have affected the current marketplace. News consumption patterns and online alternatives to traditional video distribution are important but not instrumental in determining the ownership rule. After all, the fundamental issue in broadcast ownership is economical and anti-trust in nature.
4. The Commission should also seek comprehensive measures outside the cap and the discount to promote localism, diversity, and competition. The question on whether to keep the UHF discount and the national audience reach cap is essentially narrow. It would be beneficial for the Commission to start to develop more comprehensive measures to tackle this complex issue to achieve its policy goal. When considering recent development and growth in the marketplace, the Commission could start to modernize its rules that are updated and accurately reflect public interest.