



March 19, 2018

**VIA ECFS**

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

Re: Modernization of Media Regulation Initiative: Amendment of Section 73.3613 of the Commission's Rules Regarding the Filing of Contracts, Notice of Proposed Rulemaking, MB Docket Nos. 17-105 and 18-4 ("*NPRM*")

Dear Ms. Dortch,

Gray Television, Inc. ("Gray") applauds the Commission for taking steps to modernize regulations that unnecessarily burden broadcasters with little or no public benefit. In particular, Gray supports the Commission's tentative conclusion that the Section 73.3613 paper filing requirement should be eliminated, provided, however, that the Commission enforce its requirement that broadcasters maintain accurate records of the relevant agreements in their online public files.

Today, the Commission's rules require broadcasters to file paper copies of certain contracts with the Commission and to update the public file to reflect the execution of the agreements. It can be difficult – if not entirely impossible – for any member of the public to obtain contracts filed with the Commission since the documents are now sent to an off-site warehouse and, in the process, often lost or incorrectly filed. The Commission was correct in concluding that the requirement to file paper copies of the agreements creates additional burdens on broadcasters and the Commission without providing meaningful public interest benefits, especially given that an online public file can be a far more efficient means of providing public disclosure.

Along with abandoning the antiquated paper filing requirement, however, the Commission must take steps to ensure that broadcasters comply with the requirement to maintain accurate copies of each agreement or to update the list of such documents in the public file. Specifically, all broadcasters must be required to keep a current record in the public file of all the contract terms that are included in the station's biennial ownership report. For example, if a station chooses not to upload a copy of a network affiliation

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agreement, it must keep current information such as the date of the agreement (including the expiration date) on its listing of contracts in its online public file. Otherwise, the sensible move from paper filing to online filing will create an opportunity for some to evade the enhanced disclosure that the Commission intends.

In addition to ensuring that the listing of contract terms is accurate, the listing must also be timely. Today, the Commission requires broadcasters to file paper copies of contracts within 30 days of executing the agreements and to update the public files in a timely fashion. The Commission should modify its public file rules to make clear that if broadcasters are no longer filing their contracts with the Commission, broadcasters must make the appropriate updates to a station's public file within thirty days of executing a relevant contract. Doing so will ensure that the Commission and members of the public continue to have access to contract updates on the same timeline that broadcasters currently provide today.

Gray respectfully urges the Commission to eliminate the paper filing requirement while ensuring that the public file requirements are clarified and enforced as necessary to ensure that all licensees provide at least the minimum levels of disclosure intended by the rules.

Respectfully submitted,

A handwritten signature in black ink, reading "Kevin P. Latek". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Kevin P. Latek  
Executive Vice President  
Gray Television, Inc.