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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 205541

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In the Matter of)
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Review of the Commission's)
Regulations Governing Television)
Broadcasting)
)
)
Television Satellite Stations)
Review of Policy and Rules)

MM Docket No. 91-221

MM Docket No. 87-8

Oral Ex Parte Presentation

To: William F. Caton, Acting Secretary
From: Jerald N. Fritz, Allbritton Communications Company
Date: May 5, 1995

Pursuant to §1.1206(a)(2) of the Commission's Rules, this memorandum discloses the substance of the Oral Ex Parte Presentation made this date in the above-captioned, non-restricted proceeding by representatives of Allbritton Communications Company and Sigma Broadcasting, Inc. to members of the Commission staff including: Douglas W. Webbink, Chief, Policy and Rules Division, Mass Media Bureau along with selected members of his staff and Michael Katz, Chief Economist, Office of Plans and Policy.

The presentation noted that the Commission has requested comments on an administratively convenient area to assess the impact on diversity and competition relating to the current contour-based duopoly rule. Designated Market Areas are workable, marketplace-recognized boundaries delineating common viewing patterns and areas of effective competition that facilitate transactions between advertisers and broadcasters. Not subject to vagaries of predicted versus actually measured signals, DMAs should provide the Commission with a more administratively workable definition for duopoly rule enforcement. Programming (including News) is designed for a DMA audience; ascertainment is conducted within a DMA; and Issues/Program lists are compiled from DMAs. Moreover, a DMA-based rule has no impact on the program supply market. Broadcasters have no incentive to program outside DMAs, but viability would be enhanced by enabling broadcasters to realize economies and reduce operating expenses, permitting more and diverse programming.

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