MM Docket No. 96-197

BLISS

Communications, Inc.

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December 5, 1996

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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

Dear Mr. Caton:

This letter is in response to the Federal Communications Commission's request for comment regarding possible revisions to the Commission's policies on waivers of the newspaper/radio cross ownership restrictions.

A number of years ago, when these restrictions were first established, there was a concern for diversity of ownership and the influence of newspapers that prompted this rule making, although I've always felt the free market would have been a better regulator. Over the past two decades, many new forms of information dissemination have evolved and many more are on the horizon. The original rationale is no longer valid.

The recently enacted Telecommunications Bill acknowledges the proliferation of new communications' services, and its language and intent is to foster their development. For these reasons and many others, I believe the restrictions on newspaper/radio cross ownership amount to antiquated rule making and should be dropped, or made more open to waiver.

In light of the Commission's detailed request, I will respond to various numbered paragraphs contained in the Notice of Inquiry, dated October 1, 1996.

With reference to Paragraph 10 -- I believe numerical rank ought not be a factor. Free market forces should determine what types of diversified information sources can be supported. Critical to this discussion is the definition of the term "voices." I would define a voice as any available means of communicating information to the local community. A newspaper should not be limited to a single station in each broadcast service, as long as under the above definition, a diversity of voices continues. It would not be necessary to define public interest benefits as long as there continues to be diversity.

With reference to Paragraph 11 -- All forms of traditional media should be considered, including print shoppers, newspapers, cable television, broadcast radio, broadcast television, billboards, Internet, etc. Radio and television should be counted as voices.

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I generally agree with the FCC's determination as referred to in the Second Report and Order (Note 37); however, program and management decisions ultimately determine the relative strength of each voice in a local community. Decisions on waivers should be made without reference to strength, or size of the station or newspaper, in that a newspaper or radio station of any size has the inherent ability to successfully disseminate news and information. In markets, outside of metro markets or areas where the city of license has grown beyond the station's ability to provide coverage, signal strength is a moot point because Commission rules require a city-grade signal be put over the city of license. Newspaper ownership should not be considered any differently than that of other ownership and I refer back to my definition of the term "voice" in determining diversity.

With reference to Paragraph 12 -- Both commercial and noncommercial radio and television should be considered in a radio market, along with all other forms of information dissemination in a community. Diversity is the key. Local cable, video services, Internet providers all have the inherent ability to contribute to local news and information and, therefore, all should be considered voices in a community.

With reference to Paragraph 13 -- Market rank should not be a consideration but rather the number of independent voices, as previously defined, that remain after granting the waiver.

With reference to Paragraph 14 -- I believe the Commission should reconsider its geographic definition with respect to overlap. The Commission should consider the diversity of voices within a newspaper's significant circulation area and radio station's coverage area, and recognize they all have the potential to provide news and information to a community within that area. I also strongly believe the Commission should consider existing media located in metro markets that provide significant local information to the neighboring market.

With reference to Paragraph 15 -- I have stated in the above Paragraph 14, how I would define the market, and for these reasons, I would not use the one-to-a-market television context.

With reference to Paragraph 16 -- It is my belief that whatever market definition the Commission develops, newspaper ownership ought not be treated any differently than any other form of private ownership.

With reference to Paragraph 17 -- Some form of market definition, similar to a national ratings' service, may merit discussion. I believe it is reasonable that broadcast outlets licensed to other communities, can be counted on to provide programming on a community's local issues. However, I would be concerned that a pure broadcast ratings' service, geographical market definition, would exclude certain other voices of diversity.

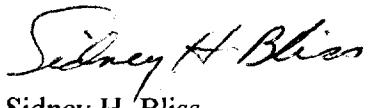
With reference to Paragraph 19 -- In light of the Commission's already existing Rules and Regulations, regarding broadcast ownership, I believe newspaper owners should not be held to any different standards outside of our previous comments, than any other potential radio station ownership.

With reference to Paragraph 20 -- I believe it is wrong to presume that a newspaper/radio combination will create market dominance. All other forms of media acquisition are unregulated, including radio/radio, telephone/cable, newspaper/billboard, etc. Adequate antitrust protection is in place and I believe the free market is capable of determining what level of competition should exist.

In closing, it is apparent that as a society, we are trending toward less regulation, rather than more. The new telecommunications legislation further deregulated much of the radio industry and allowed multiple station ownership by operators from all sectors of business and industry, except newspaper owners. For all the reasons cited above, it is unfair to continue to discriminate against newspaper operators as the only people in their market who cannot operate a radio station in that community. When radio frequencies were first established, it was felt that newspaper owners were best equipped to utilize their news and advertising information gathering resources to foster a great new industry, and they were encouraged to participate in radio. Today, we continue to lead the way in disseminating strong, independent coverage of local news events and consumer information. With the predominance of other voices (as previously defined) in our communities, there is no reason to prevent newspaper publishers from being good radio broadcasters in their communities, just like other businessmen.

Thank you for the opportunity to comment on this very important issue.

Yours very truly,



Sidney H. Bliss
President and CEO

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