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December 22, 2014

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

Re: Notice of Ex Parte Communication
MB Docket No. 07-260
File No. BRCT-20070201AJT

Dear Ms. Dortch:

On December 18, 2014, Jared S. Sher, Vice President and Associate General Counsel, 21st Century Fox, Inc. (“Fox”), and the undersigned met with Kalpak Gude, Associate Chief, Media Bureau; and Barbara Kreisman, Chief, and David Roberts, Video Division, Media Bureau, regarding the referenced proceeding.

The Fox representatives reviewed the history of the Commission’s proceedings relating to Fox’s acquisition of WWOR-TV (“WWOR” or the “Station”) and the Station’s license renewal file referred to above. We explained that Fox continually has been in compliance with the newspaper/broadcast cross-ownership (“NBCO”) rule since it acquired WWOR in 2001. We noted that, in granting a temporary waiver of the NBCO rule in connection with its approval of the acquisition, the Commission expressly stated that Fox would need to come into compliance with the NBCO rule only “insofar as it is necessary under our rules at that time.”¹ We also noted the Commission’s observation at that time that “[i]f our rules should change during that period to permit the proposed combination,” then no divestitures would be necessary.²

The Fox representatives explained that the Commission repealed the NBCO rule prior to the expiration of the temporary waiver.³ Although the U.S. Court of the Appeals for the Third

¹ *Applications of UTV of San Francisco, Inc., et al. (Assignors) and Fox Television Stations, Inc. (Assignee)*, 16 FCC Rcd 14975, ¶ 50 (2001).

² *Id.* at ¶ 45 n.73.

³ *See 2002 Biennial Regulatory Review - Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, 18 FCC Rcd 13260 (2003) (the “2002 Quadrennial Review”) (rev’d and remanded, *Prometheus Radio Project v. FCC*, 373 F.3d 372 (3rd Cir. 2004)).

COVINGTON

Marlene H. Dortch
December 22, 2014
Page 2

Circuit stayed the effect of the 2002 Quadrennial Review - including the repeal of the NBCO rule - the Court sustained the Commission's determination that the rule was no longer necessary in the public interest. We explained that, thereafter, the Commission granted Fox a temporary waiver of the NBCO rule in connection with its approval of a corporate reorganization by Fox in 2006.⁴ Finally, we explained that, because Fox timely filed a request for extension of the 2006 temporary waiver, under Commission policy and precedent the waiver remained in effect pending action on the extension request,⁵ which was addressed in the Bureau's August 18, 2014, Memorandum Opinion and Order in this matter.

The Fox representatives also addressed WWOR's record of service to viewers in both its community of license and its service area in northern New Jersey. We explained that, although WWOR historically was tasked with a *geographic* public service obligation - specifically, to serve the area of northern New Jersey within its service contour rather than just its community of license - the Station's *qualitative* public service obligation was, and is, no different from that of any other station. Both during and subsequent to the license term at issue here, WWOR has met its public service obligation by airing programming that is responsive to the issues of concern to its community, including northern New Jersey.

This proceeding has been granted "permit-but-disclose" status. Accordingly, this letter is being submitted electronically pursuant to Section 1.1206(b) of the Commission's Rules. Please contact the undersigned if you have any questions about this submission.

Respectfully submitted,

/s/

Mace Rosenstein

Counsel for 21st Century Fox,
Inc.

cc: Kalpak Gude
Barbara Kreisman
David Roberts
Charles Lovey
Angela Campbell
Andrew Schwartzman

⁴ *K. Rupert Murdoch (Transferor) and Fox Entertainment Group (Transferee)*, 21 FCC Rcd 11499 (2006).

⁵ *Counterpoint Communications, Inc. (Transferor) and Tribune Television Co. (Transferee)*, 20 FCC Rcd 8582, 8590 (2005) (holder of NBCO waiver is "in full compliance" with the rule pending consideration of timely extension request).