



GEORGETOWN LAW
INSTITUTE FOR PUBLIC REPRESENTATION

600 New Jersey Avenue, NW, Suite 312
Washington, DC 20001-2075
Telephone: 202-662-9535
Fax: 202-662-9634

February 18, 2015

Marlene Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Docket 05-06
Docket 07-294
Docket 09-182
Docket 14-50

Dear Ms. Dortch,

This letter is submitted pursuant to 47 CFR §1.1206(b)(2) with respect to the above-shown dockets.

On February 12, 2015, Media Bureau Chief William Lake and Audio Division Chief Peter Doyle called Angela Campbell, Andrew Jay Schwartzman and Eric Null of the Institute for Public Representation (IPR) to address certain issues raised in IPR's February 3, 2015 letter to Chairman Wheeler.

Mr. Lake began the call by stating that the Commission would in the future publish orders taking action on requests for waiver of the Commission's broadcast ownership rules. He also stated that the Commission would in the future indicate in its "Broadcast

*Admitted to the Washington bar only;
DC bar membership pending. Practice supervised by members of the DC bar.

Applications” public notices when an applicant requests a waiver of the broadcast ownership rules.

In the discussion that followed, Mr. Lake answered several questions from IPR.

Mr. Lake stated that the Commission would not issue individualized public notices when a waiver of the broadcast ownership rules is requested. He elaborated on his initial statement by saying that the Commission will first give public notice in its “Broadcast Applications” public notices and would then issue a second notice in a later “Broadcast Applications” public notice that would state that a waiver was requested and cite to the relevant rule. IPR pointed out that this did not change the problem identified in its February letter that local citizens and public interest groups cannot reasonably be expected to peruse public notices of 10 to 20 pages every day looking for a notation that one of scores of listed applications might involve a waiver request. IPR reiterated its longstanding position that the Commission should issue a specific public notice, listed in the Daily Digest, of each request for a waiver of the broadcast ownership rule in a renewal, assignment or transfer application. IPR observed that this is not dissimilar from what the Commission already does for many transactions.

IPR asked what criteria the Media Bureau uses when deciding whether an order is published, and whether the Bureau would publish other orders on applications that affect the public. Mr. Lake declined to identify any such criteria and indicated that any changes in publication practices would be limited to orders involving waivers of the broadcast ownership rules.

With respect to IPR’s concern that the Commission customarily posts applications in a multi-station transaction in its CDBS system for only one “lead” station in the group, Mr. Doyle explained that this will not be addressed until the Commission fully implements its LMS system to replace the CDBS system. He stated that the Commission hopes that this will take place within 6 to 18 months.

In response to IPR’s questions, Mr. Lake stated that there are no current plans to modify the local public notice requirements when a renewal, transfer or assignment application seeks a waiver of the broadcast ownership rules. He added that this might in any event require a notice and comment rulemaking. IPR pointed out that this issue is already the subject of an outstanding rulemaking. (That rulemaking is Docket 05-06.) IPR summarized its longstanding position that local public notices should advise the public that a pending application seeks a waiver of Commission ownership rules, identify the nature of the requested waiver and explain how viewers and listeners can file petitions to deny such transactions.

Respectfully submitted,

/s/

Andrew Jay Schwartzman

cc. William Lake
Peter Doyle