

**MINORITY MEDIA AND
TELECOMMUNICATIONS COUNCIL**

3636 16th Street N.W., Suite BG-54
Washington, D.C. 20010

ORIGINAL

MAY 03 2002

David Earl Honig, Executive Director
Phone: (202) 332-7005 Fax: (202) 332-7511
e-mail: dhonig@crosslink.net

Henry M. Rivera
Chairperson

Erwin Krasnow
Vice Chairperson

Lawrence Roberts
Secretary

Everett C. Parker
Treasurer

BOARD OF DIRECTORS

Andrew C. Barrett
Tyrone Brown
Antoinette Cook Bush
Jeneba Jalloh Ghatt
Julia Johnson
Erwin Krasnow
Alex Nogales
Everett C. Parker
Henry M. Rivera
Lawrence Roberts
Andrew Schwartzman
S. Jenell Trigg
Herbert Wilkins

BOARD OF ADVISORS

Raul Alarcon, Jr.
Eddie Arnold
Amador Bustos
Angela Campbell
Thomas Castro
Anthony Chase
Jannette Dates
Belva Davis
Moctesuma Esparza
Jerome Fowkes
Frank Halfacre
Allen Hammond
John Hane
Thomas Hart
Janis Hazel
Ragan A. Henry
Leo Hindery
Reginald Hollinger
Eli Noam
Vincent A Pepper
Benjamin Peréz
Darryl Thompson
Linda Eckard Vilardo
Anthony Williams
Edward Young

EX PARTE OR LATE FILED

May 2, 2002

Hon. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Dear Ms. Dortch:

RE: MM Docket No. 01-317 (Local Radio
Ownership Rules)

Pursuant to 47 CFR §1.1206, this will disclose that in this permit-but-disclose proceeding, representatives of the Minority Media and Telecommunications Council ("MMTC") made an oral ex parte presentation at an April 30, 2002, 2 PM meeting with Commissioner Michael Copps and his Senior Legal Advisor, Susanna Zwerling. MMTC's delegation consisted of MMTC Secretary Lawrence Roberts and MMTC Executive Director David Honig.

On March 19, 2002, MMTC filed Comments in this proceeding, and MMTC's April 30 presentation emphasized some of the themes in those Comments. In particular, we advocated a balance between large platforms and independents, with the market not tipping so that the independents cannot survive. We stated that while the number of minority owned stations has increased in recent years, excessive deregulation inevitably rolls back minority ownership gains, as it has in television where about half the minority owned stations as of 1999 are gone now because of duopoly. We urged the adoption of a new capital gains deferral (tax certificate) policy and reported on prospects for its adoption by the Congress.

No. of Copies rec'd 012
List ABCDE

Hon. Marlene Dortch

May 2, 2002

Page Two.

We discussed our proposal for a new class of stations (Free Speech Radio) to be developed through time sharing and channel bifurcation under Section 202(b)(2) of the Act. We explained how this proposal could harmonize many of the goals of large and small companies and of consumer groups, promoting viewpoint diversity, competition, efficiency, format diversity and minority ownership simultaneously.

Finally, we recommended the use of a constitutionally acceptable means of promoting minority ownership -- developing programs structured to promote socially and economically disadvantaged businesses (SDBs), much like SBA's 8(a) program and the DOT program approved by the 10th Circuit in Adarand VII. Among the justifications for FCC initiatives to promote minority ownership are remediation of the agency's own past licensing of segregationists and discriminators, and the need to promote competition within the industry and among industries.

To develop the record on these points, we advocated an en banc hearing on media ownership.

An original and two copies of this letter are being filed with the Secretary.

Respectfully submitted,



David Honig
Executive Director

cc: Hon. Michael Copps
Susanna Zwerling, Esq.

/dh