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MINORITY MEDIA AND
TELECOMMUNICATIONS COUNCIL

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May 22, 2002

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

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Dear Ms. Dortch:

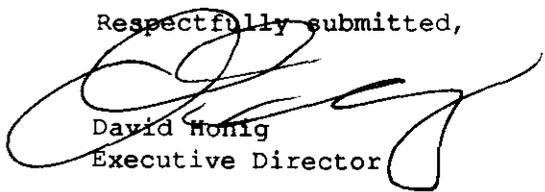
RE: MM Docket No. 95-31 (NCE Comparative Standards)

Pursuant to 47 CFR §1.1206, this will disclose that in this permit-but-disclose proceeding, as a representative of the Minority Media and Telecommunications Council ("MMTC") I made an oral ex parte presentation at a May 21, 2002, 4:00 PM meeting with Commissioner Hon. Kathleen Abernathy, her Senior Legal Advisor Stacy Robinson, Esq., and interns Jenny Berry and Addison Golladay.

On May 15, 2002, MMTC filed Comments in this proceeding. At the meeting, I traced the history of comparative preferences in broadcast proceedings, particularly the "no upgrade" and "must downgrade" policies discussed in our Comments. I contended that the broadcast auction rules incorporated the "no upgrade" policy but omitted the "must downgrade" policy, and suggested that the remedy would be, on each day of an auction, to require disclosure of downgrades and abandonment of any attendant bidding credits.

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

Respectfully submitted,


David Honig
Executive Director

cc: Hon. Kathleen Abernathy
Stacy Robinson, Esq.
Jenny Berry
Addison Golladay

/dh

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