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02-P2662

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Michael Powell, Chairman  
Federal Communications Commission  
445 12th St. S.W.  
Washington DC 20554

RE: Uphold the interests of American citizens and our democracy!

Dear Mr. Powell,

EX PARTE OR LATE FILED

As a concerned U.S. citizen and taxpayer, I am deeply disturbed at a recent District of Columbia Court of Appeals decision overturning one of the country's last-remaining regulatory protections against media monopoly, and ordering the review of another. I strongly urge that the FCC fulfill its mission to protect the public interest by appealing these rulings.

The court overturned the rule that had prevented one company from owning both television stations and cable franchises in a single market. The court claimed that the increased number of TV stations today and the competition from the proliferation of new services like satellite TV make the rule outdated and unnecessary to protect diversity. The court also ordered that the FCC either justify or rewrite the rule that bars a company from owning television stations which reach more than 35 percent of U.S. households, stating that as is, the rule is arbitrary and illegal.

The station ownership cap has been much revised since the 1940s, when networks could only own three stations apiece. The numerical limit was increased a number of times over the years and finally eliminated by the Telecommunications Act of 1996, which allowed a network to own enough stations to reach 35 percent of the audience.

Currently, among broadcast TV markets, one-seventh are monopolies, one-quarter are duopolies, one-half are tight oligopolies, and the rest are moderately concentrated. While the number of TV stations increased from 952 to 1,678 between 1975 and 2000, the number of station owners has actually declined from 543 to 360 in the same period. If the Court of Appeals rulings are allowed to stand, media diversity will decline even more sharply, as large media corporations gobble each other up and move closer to monopoly status in many large markets.

I urge you to appeal the Court of Appeals decision overturning the television-cable cross-ownership rule to the Supreme Court. I also urge that the FCC vigorously defend the 35 percent television ownership cap by gathering and presenting the ample evidence available that this minimal safeguard is essential. The FCC's chief responsibility is to uphold the interests of the American people, as taxpayers, consumers, and citizens of a democracy. We depend on you to prevent further serious erosion of diversity in the media upon which all Americans depend for the information we need to make our democracy work. We need democratic, diverse and decentralized media. Please fulfill your responsibility to preserve it.

Confirmed

Most sincerely,  
*Paul D. Johnson*  
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