

NABOB

NATIONAL ASSOCIATION OF BLACK OWNED BROADCASTERS, INC.

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August 14, 2002

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: MM Docket Nos. 01-317 and 00-244, Rules and Policies Concerning
Multiple Ownership of Radio Broadcast Stations in local Markets –
Ex parte Submission

Dear Mr. Caton:

The National Association of Black Owned Broadcasters, Inc. (“NABOB”), pursuant to Section 1.1206(b) of the Commission’s Rules, hereby submits a copy of a written ex parte communication in the above-referenced proceeding.

The written submission was provided along with an oral presentation by the undersigned in a meeting on August 13, 2002 with Susan Eid, Legal Advisor to Chairman Michael Powell.

Please contact the undersigned should you require any additional information in connection with this submission.

Sincerely,

/s/ James L. Winston

James L. Winston

Executive Director and General Counsel

SUMMARY OF COMMENTS
Review of the Radio Local Ownership Rule
MM Docket No. 01-317 and MM Docket No. 00-244

The National Association of Black Owned Broadcasters, Inc. (“NABOB”) requests that the Commission take the following principal actions in the pending radio ownership rule making:

1. The Commission should place greater emphasis on the promotion of diversity of ownership, and with it the promotion of minority ownership, as part of its public interest review of assignment and transfer applications.
2. The Commission should make permanent its Interim Policy for reviewing assignment and transfer applications, with certain revisions:
 - A. The Commission should revise its 50/70 screen for “flagging” transactions, and replace it with a 40/60 screen.
 - B. The Commission should review the national market power of applicants in assignment and transfer cases, not just local market power.
3. The Commission should define radio markets using use Arbitron metro markets, rather than station predicted contours, when applying its station local ownership rule.
4. The Commission should treat all local marketing agreements as attributable, and should require that all agreements between same market stations under separate ownership, including local marketing agreements, joint sales agreements, and shared services agreements, be filed with the Commission.
5. The Commission should continue to urge Congress to reinstate the minority tax certificate policy.