



Jack N. Goodman

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May 29, 2003

Ex Parte Communication

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: MB Docket No. 02-277, Radio Ownership Rules

Dear Mr. Chairman:

Press reports today indicate that the Commission may be considering allowing transfers of station clusters that would no longer comply with a revised radio market definition only to minority, female or small business entities.

NAB strongly supports efforts to increase minority and female ownership of broadcast stations. We support the McCain bill to provide tax relief to encourage sales to socially and economically disadvantaged businesses. NAB supports a wide array of measures to help develop minority and female owners and managers. But smaller owners who may not be able to locate minority or female purchasers that are able to pay full value for station clusters should not be forced to suffer financially to achieve these worthy goals. Moreover, even if a minority or female entity would acquire a non-complying cluster, if it could only then be transferred to another qualifying entity, the minority or female licensee would then see the value of its assets downgraded.

As our comments have made clear, and as was reiterated in an *ex parte* filing on May 23, 2003, NAB believes that the Commission must, if it changes its radio market definition, permit pre-existing station clusters that would no longer be in compliance with the revised rules to be transferred freely. Any other course would wrongfully penalize owners who formed station clusters in good faith and with the specific approval of the Commission for each and every station transfer involved in formation of the cluster.

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NAB must, therefore, oppose this proposed restriction on transferability.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jack N. Goodman". The signature is written in a cursive, flowing style with a large initial "J".

Jack N. Goodman

cc: The Honorable Kathleen Q. Abernathy
The Honorable Michael J. Copps
The Honorable Kevin J. Martin
The Honorable Jonathan S. Adelstein
Kenneth Ferree
Paul Gallant