

BEFORE THE  
**Federal Communications Commission**  
WASHINGTON, D. C. 20554

In re Applications of )  
 )  
GENERAL MOTORS CORPORATION and )  
HUGHES ELECTRONICS CORPORATION, ) MB DOCKET NO. 03-124  
Transferors )  
 )  
and )  
 )  
THE NEWS CORPORATION LIMITED, )  
Transferee )  
 )  
For Authority to Transfer Control )

TO: Chief, Media Bureau  
Chief, Transaction Team

**REPLY TO**  
**“OPPOSITION TO PETITIONS TO DENY AND REPLY COMMENTS”**

National Hispanic Media Coalition (NHMC), by its attorney, and pursuant to Sections 1.939(f) and 1.45(c) of the Commission’s Rules, hereby respectfully submits its Reply to the July 1, 2003 “Opposition to Petitions to Deny and Reply Comments” jointly filed by General Motors Corporation (GM), Hughes Electronics Corporation (Hughes) and The News Corporation Limited (Fox). NHMC respectfully renews its request that the Commission dismiss, deny or designate for hearing all said applications. In support whereof, the following is shown:

1. As NHMC pointed out in its Petition to Deny, the FCC is still in procedural limbo as to the question of whether a grant of the above-captioned applications would serve the public interest, convenience and necessity. The reason for this is that although the FCC finally got around on July 2, 2003 to releasing the text of the action it took by 3-2 vote on June 2, 2003 in its "re-examination" of the Commission's multiple ownership rules in the combined proceeding of Docket Nos. 00-244, 01-235, 01-317, 02-277, 03-130 (**Report and Order and Further Notice of Proposed Rulemaking**, FCC 03-127), the Commission only today (July 14, 2003) issued an "Erratum" to FCC 03-127, and still has not published the new rules and the memorandum report and order explaining them in the Federal Register. By the terms of FCC 03-127, the new rules will not go into effect until 30 days after Federal Register publication.

2. The question before the Commission is whether the public interest, convenience and necessity would be served by one party having attributable interests in (1) one of the four national over-the-air television networks, (2) television stations in 26 markets, including 9 of the top 10, 13 of the top 15, and 16 of the top 20 markets, and two television stations in each of the New York City, Los Angeles, Chicago, Washington DC, Dallas-Fort Worth,

Houston, Minneapolis-St. Paul, Phoenix, Orlando and Austin markets, (3) nine English language national cable networks and one Spanish language cable network, with the Fox Sports Net having regional affiliates as well, and (4) global interests in DBS broadcasting, including the brands British Sky Broadcasting, Fox and Sky throughout the rest of the world.

3. Until the public can have a fair opportunity to read and digest the new multiple ownership rules, after they have been properly published in the Federal Register as federal law provides, the Commission cannot as a matter of administrative procedure act on the above-captioned application. Rather, it seems to us that, to provide maximum fairness to the public and to show that it is truly independent of media and industrial behemoths such as GM, Hughes and Fox, the Commission must publish a further notice, and ask for public comment based on the matters stated in FCC 03-127 and in the new rules.

4. Without this, NHMC cannot state that its constitutency among the Hispanic-American broadcasting and media community and Hispanic-American television and media consumers at large would be served by News Corporation's acquisition of an attributable interest in DirecTV. Again, we point out the injustice noted in our "Petition to Deny"

of the relative red carpet being rolled out by the Commission for GM, Hughes and Fox, while Hispanic broadcasters who are trying to purchase broadcast stations and obtain FCC consent to do so are still subject to the seemingly interminable "freeze" which was imposed by the Commission on June 2, 2003 and whose end is not in sight.

WHEREFORE, the National Hispanic Media Coalition urges that the above-captioned applications BE DENIED, DISMISSED OR DESIGNATED FOR HEARING upon the issues framed above and/or other appropriate hearing issues.

Respectfully submitted,

**NATIONAL HISPANIC MEDIA  
COALITION**

By \_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

It is hereby certified that true copies of the foregoing "Petition to Deny" were served by e-mail on this 14<sup>th</sup> day of July, 2003, upon the following:

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