

Before the  
Federal Communications Commission  
Washington, D.C. 20554

SEP 19 2006

In the Matter of	)	
	)	
2006 Quadrennial Regulatory Review –	)	MB Docket No. <u>06-121</u>
Review of the Commission’s Broadcast	)	
Ownership Rules and Other Rules Adopted	)	
Pursuant to Section 202 of the	)	
Telecommunications Act of 1996	)	
	)	MB Docket No. 02-277
2002 Biennial Regulatory Review – Review of	)	
the Commission’s Broadcast Ownership Rules	)	
and Other Rules Adopted Pursuant to Section	)	
202 of the Telecommunications Act of 1996	)	
	)	MM Docket No. 01-235
Cross-Ownership of Broadcast Stations and	)	
Newspapers	)	
	)	MM Docket No. 01-317
Rules and Policies Concerning Multiple	)	
Ownership of Radio Broadcast Stations in	)	
Local Markets	)	
	)	MM Docket No. 00-244
Definition of Radio Markets	)	

**ORDER**

**Adopted: September 18, 2006**

**Released: September 18, 2006**

**Comment Date: October 23, 2006**

**Reply Comment Date: December 21, 2006**

By the Chief, Media Bureau:

1. On July 24, 2006, the Commission released its *Further Notice of Proposed Rule Making* in the above-captioned proceeding.<sup>1</sup> The current deadlines to file comments and reply comments in this proceeding are September 22, 2006, and November 21, 2006, respectively.

2. In the *Further Notice*, the Commission seeks comment on how to address the issues raised by the U.S. Court of Appeals for the Third Circuit in *Prometheus v. FCC* with regard to

<sup>1</sup> 2006 *Quadrennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, MB Docket No. 06-121, FCC 06-93 (rel. July 24, 2006) (“*Further Notice*”).

six of the Commission's broadcast ownership rules<sup>2</sup> and initiates the 2006 quadrennial review of the Commission's media ownership rules. We are seeking comment on each of the ownership rules remanded by the court, and are encouraging parties to submit comments that include empirical evidence, as well as sound economic theory.<sup>3</sup>

3. On September 14, 2006, ION Media Networks, Inc.<sup>4</sup> ("ION") and Free Press, *et al.*<sup>5</sup> ("Free Press") filed separate motions asking the Commission to extend the comment and reply comment deadlines.<sup>6</sup> Both ION and Free Press assert that they need additional time to complete research and analysis and to compile data necessary to fully address the complex issues raised in the *Further Notice*.<sup>7</sup> In addition, Free Press suggests that an extension of time would allow parties to respond to issues raised at the Commission's upcoming hearing on media ownership, scheduled to take place on October 3, 2006, in Los Angeles, California.<sup>8</sup>

4. We believe that the public interest and our goal of assembling a full record in this proceeding would be best served by granting an extension of the comment and reply comment filing deadlines so that parties may have sufficient time to conduct studies and compile data that will inform our decision in this proceeding. The new deadline for comments is October 23, 2006, and the new deadline for reply comments is December 21, 2006.

5. Accordingly, IT IS ORDERED that ION Media Networks, Inc.'s Motion for Extension of Time and Free Press, *et al.*'s Joint Motion for Extension of Time filed in the

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<sup>2</sup> See 2002 Biennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, 18 FCC Red 13620, 13711-47 (2003) ("2002 Biennial Review Order"), *aff'd in part and remanded in part, Prometheus Radio Project, et al. v. F.C.C.*, 373 F.3d 372 (2004) ("Prometheus"), *stay modified on rehearing*, No. 03-3388 (3d Cir. Sept. 3, 2004) ("Prometheus Rehearing Order"), *cert. denied*, 73 U.S.L.W. 3466 (U.S. June 13, 2005) (Nos. 04-1020, 04-1033, 04-1036, 04-1045, 04-1168, and 04-1177).

<sup>3</sup> *Further Notice* at ¶ 3.

<sup>4</sup> Motion for Extension of Time filed by ION Media Networks, Inc. (Sept. 14, 2006) ("ION Motion").

<sup>5</sup> Joint Motion for Extension of Time filed by Free Press, *et al.* (Sept. 14, 2006) ("Free Press Motion"). The Movants include Free Press, Counsel for the Office of the United Church of Christ, Inc., Media Alliance, Benton Foundation, National Organization for Women Foundation, Diversity and Competition Supporters, National Association of Black Owned Broadcasters, and Rainbow/PUSH Coalition. Free Press Motion at 3.

<sup>6</sup> ION requests a two-week extension of time and Free Press requests a 30-day extension of time.

<sup>7</sup> ION Motion at 2-3; Free Press Motion at 1-2. In addition, Free Press requests an extension of time to allow parties to respond to proposals raised in this proceeding by the Diversity and Competition Supporters. See Motion for Withdrawal of the Further Notice of Proposed Rulemaking and for the Issuance of a Revised Further Notice filed by the Diversity and Competition Supporters ("MMTC") (Sept. 11, 2006).

<sup>8</sup> Free Press Motion at 2. See, "FCC Announces Public Hearing in Los Angeles on Media Ownership," News Release (Sept. 8, 2006).

above-captioned proceeding ARE GRANTED to the extent stated in this Order.

6. IT IS FURTHER ORDERED that the deadline for filing comments in this proceeding IS EXTENDED to October 23, 2006.

7. IT IS FURTHER ORDERED that the deadline for filing reply comments in this proceeding IS EXTENDED to December 21, 2006.

FEDERAL COMMUNICATIONS COMMISSION

Donna C. Gregg  
Chief, Media Bureau