

1 Discovery, we do not charge consumers for our  
2 content, which makes our model even more difficult,  
3 and we are critically reliant on full distribution  
4 to all TV homes.

5           What matters, in addition to access to  
6 the public airwaves, is access to U.S. television  
7 households, which is dominated by a handful of  
8 multi-channel distributors on one hand, and on the  
9 other side, access to content which is dominated by  
10 a handful of vertically integrated media  
11 conglomerates. Both groups enjoy very comfortable  
12 relationships with each other, which keep consumer  
13 prices high and competition low.

14           I hope I can convince you that in light  
15 of those realities, the question whether there is a  
16 little more or a little less consolidation within  
17 broadcasting is only one of the many issues to  
18 consider. Whichever way you go, it will not bring  
19 down consumer prices, because broadcast content is  
20 free to begin with. Nor will it affect the strategy  
21 of the major media companies who are generally in  
22 the process of selling and not buying broadcast  
23 stations. It is simply a reflection of the point  
24 I'm trying to leave you with; broadcast retrans and  
25 must-carry has been replaced by content leverage and

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1 gatekeeper leverage as a determining factor of what  
2 content reaches U.S. households.

3 In its March 2006 report on competition  
4 in the video marketplace, the FCC raised concerns  
5 that we're coming dangerously close to the so-called  
6 70/70 benchmark, which measures the local power of  
7 cable distributors. And with the recent Adelphia  
8 merger, one has to presume that this benchmark has  
9 now been met.

10 So what can the FCC do? The FCC can use  
11 its authority to increase the amount of diverse  
12 local programming available in every local market in  
13 the country by assuring that the entirety of each  
14 local television's free digital high definition and  
15 multi-casting broadcast output is passed through to  
16 all American homes. The FCC efforts in this regard  
17 will serve important media policy and consumer  
18 interest goals.

19 Let me just take the following example  
20 to illustrate the type of benefits that could be  
21 created in a well-supported digital broadcasting  
22 playing field. We only need to look at what  
23 happened in the United Kingdom to see the  
24 possibilities. In the U.K., Freeview, with some  
25 public support, brought 30 free digital terrestrial

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1 television channels and 20 radio channels free of  
2 charge to consumers and became the number one most  
3 popular television platform -- media platform  
4 rather. It has also reduced U.K. average costs per  
5 channel to consumers by around ten percent.

6 MODERATOR RIVERA: You have to wind up  
7 now.

8 MR. BURGESS: Yeah. Let me conclude by  
9 applauding the Commissions for its actions last week  
10 in clarifying the obligations for digital  
11 broadcasters to serve children. We hope the FCC  
12 sees Ion Media as a proactive early adopter in this  
13 area in going well beyond the FCC minimum  
14 requirements. I would, however, note that all of  
15 the fine mandatory EI children's programming that  
16 will be aired on Broadcasters Spectrum cannot be  
17 seen in 85 percent of the homes that are cable and  
18 satellite subscribers. I also applaud last week's  
19 announcement of the formation of a task force on  
20 media in childhood obesity. I hope it will grow to  
21 be bipartisan. This focus is very important for us  
22 at Ion Media, and I would like to publicly commit  
23 for Ion Media to work with the FCC and the task  
24 force to come up with a distribution plan that would  
25 feature three hours of childhood obesity preventive

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1 program at each of our digital kids and digital  
2 *health channels.*

3 Thank for including me in this hearing  
4 today, and please consider addressing not only the  
5 top end of the media consolidation food chain, but  
6 also those independents like Ion Media, who are  
7 trying to make contributions as smaller and  
8 independent players in the media ecosystem.

9 MODERATOR RIVERA: Thank you.

10 Mr. Winter?

11 MR. WINTER: Thank you, Commissioner  
12 Rivera. Chairman Martin, good day to you, and  
13 Commissioners, good day to you. My name is Tim  
14 Winter, and I am the Executive Director of the  
15 Parents' Television Council, and will be assuming  
16 the role of President on January 1st. The PTC,  
17 headquartered her in Los Angeles, is a non-partisan,  
18 non-profit organization dedicated to protecting  
19 children and families from graphic sex, violence and  
20 profanity in the media.

21 Looking at the other panelists today  
22 here, I feel somewhat like a skunk at a picnic.  
23 Writers, actors, producers, directors and the PTC;  
24 what's wrong with this picture? The answer is  
25 nothing's wrong with this picture. All of us are

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1 here today to express thoughts and concerns about  
2 the effects of media consolidation, particularly as  
3 it relates to programming. Certainly, we bring  
4 different perspectives and points of view, but I  
5 believe there is far more common ground than one  
6 might suspect. Over the past decade, all of us here  
7 on this panel have witnessed firsthand the harmful  
8 effects of media consolidation on programming. My  
9 perspective is as a parent and as an advocate for  
10 better and more family programming. And from where  
11 I sit, media consolidation has dealt a devastating  
12 blow.

13 But let's start with 90 plus percent of  
14 parents who feel there is too much sex and violence  
15 on TV, half of whom unfortunately allow a TV set in  
16 their child's bedroom. But parents complain that  
17 Hollywood is out of touch with their wants and needs  
18 of the mainstream. Hollywood insists that they are  
19 only providing what the network executives want and  
20 in fact, independent producers have told us  
21 privately that they want to produce more family  
22 material, but the networks won't let them. Network  
23 executives point to the advertisers' demand for edgy  
24 programming that will hit a desired demographic.  
25 But advertisers have told us repeatedly that if

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1 there were good, quality family programs, that they  
2 would be quick to support them with their ad  
3 dollars. So it seems we're all to blame, at least  
4 at some level.

5 But in bringing the conversation back to  
6 the purpose of this particular hearing, there is one  
7 common influence on all of this. Fewer people are  
8 making programming decisions. Even in our 500-  
9 channel universe, a handful of corporations control  
10 most of what we see on television. Broadcast TV  
11 still remains the most pervasive medium today. Last  
12 year, the most watched TV programs were all on  
13 broadcast television. In fact, 485 out of the top  
14 rated 495 programs were aired on broadcast TV.

15 Congress gave the FCC the authority to  
16 enforce broadcast decency on the public airwaves  
17 before 10 p.m., and the Supreme Court has affirmed  
18 the constitutionality of the law. And since the  
19 Commission has last dealt with the issue of media  
20 consolidation three years ago, millions of Americans  
21 have filed formal complaints about Broadcast  
22 indecency violations. All but a handful of those  
23 complaints reflect national network television  
24 broadcasts. With very few exceptions, network owned  
25 television stations do not consider community

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1 standards of decency.

2 In May of 2003, the PTC conducted a  
3 survey of approximately 100 TV stations around the  
4 United States which were owned and operated by one  
5 of the four major television networks. We found  
6 only one station in one instance that had ever  
7 preempted a network program based upon community  
8 standards, and one station general manager admitted  
9 that the network, not the station, made her  
10 programming decisions. When the local programming  
11 decisions are prohibited by a remote corporate  
12 parent, the public interest is not served.

13 Broadcasters now say that the indecency  
14 law is no longer valid due to technology solutions,  
15 like the V-chip. But the V-chip relies on a rating  
16 system in order to function properly. We found that  
17 the TV program ratings are inaccurate up to 60 to 80  
18 percent of the time. One reason why the rating  
19 system is unreliable is that the networks themselves  
20 rate their own programs. Advertisers often choose  
21 not to sponsor maturely rated programs, so the  
22 networks face a financial conflict of interest to  
23 rate programs accurately. The result is that the  
24 networks rate a program inaccurately, and they keep  
25 the advertisers money. Families and advertisers

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1 lose.

2                   Sadly, the affects of media  
3 consolidation on program content do not end here.  
4 Some broadcast networks use the retransmission  
5 consent rules to force their cable network  
6 properties onto cable and satellite programming  
7 bundles. Cable and satellite executives have  
8 testified before Congress to this effect. Here in  
9 downtown Los Angeles there are 48 cable networks  
10 bundled together on the expanded basic cable tier.  
11 Of those 48 cable networks, Viacom owns all or part  
12 of 8 of them, NBC owns all or part of 8 of them,  
13 Disney owns all or part of 8 of them, News Corp owns  
14 all or part of 6 of them, Liberty Media owns all or  
15 part of 6 of them, and the local cable operator,  
16 Time Warner, owns all or part of 7 of those  
17 networks.

18                   Remember that the cable industry was  
19 originally designed to be a medium of local access,  
20 but this is a fleeting memory today. If the  
21 American public wants to pay a monthly fee to NBC to  
22 watch reruns of "Dateline" on MSNBC, or fee to  
23 Viacom for graphic teen-themed sex and profanity on  
24 MTV or, as we just saw last week, to News Corp for a  
25 program on Fox's cable network where a woman

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1 satisfied her sexual desires with her pet dog while  
2 her husband was fighting in Iraq, then, by gosh, the  
3 industry can offer networks to fill those needs.  
4 But those corporations should not and must not be  
5 able to force this programming into 80 plus million  
6 homes without consumers deciding to select and pay  
7 for those networks.

8 In conclusion, Commissioners, if you  
9 were to use Los Angeles as a case study for the  
10 effects of media consolidation, taking the lessons  
11 learned here over the past decade and extending the  
12 likely effects across our nation and into the  
13 future, the results would show a dismal outlook for  
14 a robust media and communications policy. I urge  
15 you to listen carefully to everything that is said  
16 to you here today and this evening. But separate  
17 the special interest from the public interest, and  
18 please base your policy decisions on what best  
19 serves the public interest.

20 MODERATOR RIVERA: Thank you Mr. Winter.

21 CHAIRMAN MARTIN: I first want to thank  
22 all the panelists for participating and for your  
23 insights onto the media landscape today. And I  
24 know, John, you actually mentioned that you had a  
25 whole bunch of comments that you wanted to file with

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1 us. And I do also want to mention that the public -  
2 - all of the public is available to file comments at  
3 the Commission's website. We've got a lot of people  
4 that want to be heard from today, as well, and I  
5 want to make sure that we have as much time as  
6 possible before we have to take up the hearing in El  
7 Segundo. So, while I would be anxious to try to ask  
8 a few questions that we might ask, if we can do that  
9 in following up with you all individually, as  
10 opposed to doing that here, because we're already  
11 about a half hour behind from the public getting the  
12 opportunity to speak. I don't know if any of my  
13 other colleagues do want to ask any brief questions  
14 before -- Debbie, do you have anything? Do you all  
15 have anything?

16 (No responses.)

17 CHAIRMAN MARTIN: Then, again, I do want  
18 to thank you all for being willing to come to  
19 participate today.

20 MODERATOR RIVERA: All right, public,  
21 this is your opportunity. The way we're going to do  
22 this, in order to facilitate and hopefully maximize  
23 the time we've got available, is there are going to  
24 be two microphones available to you. One is  
25 microphone A and one is microphone B. Microphone A

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1 is to my right and your left, and microphone B is to  
2 my left and your right. This is important because  
3 I'm going to call your name out and I'll tell you  
4 which microphone you're supposed to use. I'm going  
5 to call you in groups of 10. So if we can get the  
6 first grouping up, this will be going to microphone  
7 A that's on my right: Ross Weller, Len Hill, Dan  
8 Navarro, Tracy Edmunds, Bishop Caroline Tyler, Karen  
9 Slade, and Karen Wade. Those are all on microphone  
10 A.

11 Microphone B on my left, the first group  
12 there will be Jack Morrison, J.R. Starr, Jane  
13 Alfonso, Matt Sagaloff, Karla Lithic, Andrew  
14 Capelshaw, Christy Crew, and Bernie Allen. You will  
15 all have two minutes to speak, and we're going to  
16 have to enforce this. As I said earlier, we'd like  
17 to get as many of you as possible to give your  
18 testimony. The Commissioners have to leave here at  
19 4:30 to go to El Segundo, and so we're going to  
20 strictly enforce that two-minute rule.

21 Bishop, would you please start us off  
22 here? And you have two minutes, Bishop.

23 BISHOP TYLER: Mr. Chairman and  
24 Moderator, I'd like us to take the first 30 seconds  
25 of my time to just stop for a moment to remember our

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1 neighbors in Pennsylvania, in the Amish Community,  
2 if we can do that.

3 (Pause.)

4 Thank you.

5 MODERATOR RIVERA: Thank you.

6 BISHOP TYLER: I am Bishop Caroline  
7 Tyler Guidrey. I am Social Chair Action for the --  
8 I'm sorry -- I am Chair for the Social Action  
9 Commission of the African Methodist Episcopal  
10 Church. Over 219 years ago, the African Methodist  
11 Church was being born. Yes, that's the year this  
12 great country was founded, 1787. The founders of  
13 the USA spoke of freedom for its people. The AME  
14 movement spoke of freedom for its people and all  
15 people who were oppressed. In lockstep, the USA and  
16 the AME Church have championed the causes of those  
17 who have needed intercession and advocated for those  
18 with whom the system seemed to have forgotten or  
19 ignored.

20 Now, in 2006, the AME Church observes  
21 that the commonality of goals with our long-time  
22 partner is a bit fuzzy. What has happened to the  
23 doors that were to swing open for people of color,  
24 ethnic cultures, and women seeking their dreams? If  
25 our voices are to be heard and the dialogues of

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1 merit, where are the women and minority owners of  
2 the major news outlets? Given the continued  
3 economic disparity in the black community, where  
4 will capital be found to compete with a majority  
5 white male purchases of the television, radio and  
6 newspaper outlets? The ownership share for black,  
7 Latino, Asian-Pacific and women owners have been  
8 downsized with a disproportionate increase of  
9 ownership by Anglo males. The consolidation climate  
10 that is fusing ownership changes in other industries  
11 looms as a deadly and costly approach to media  
12 ownership, even as the people of color become the  
13 minority in the U.S.A.

14 MODERATOR RIVERA: You have to stop.

15 BISHOP TYLER: The FCC is the keeper of  
16 one of our most precious outlets for free  
17 expression. You must defy the trendiness of today's  
18 market. Thank you.

19 MODERATOR RIVERA: Thank you so much.

20 Mr. Cedillo. Mr. Cedillo, did you want  
21 to testify? You have two minutes, sir.

22 MR. CEDILLO: Good afternoon,  
23 Commissioners. I know you've come a long way and  
24 let me thank you for your attention. My name is  
25 Gilbert Cedillo. I am a State Senator, and I

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1 represent downtown Los Angeles. And I am here today  
2 to ask you to hold the major conglomerates, the  
3 Disney, KBC, the Turner, the Clear Channel,  
4 accountable for engendering and creating a climate  
5 of fear, intolerance and bigotry in our state and  
6 our nation. I am here as a citizen of the United  
7 States, second generation, proud son of a Korean war  
8 veteran, varsity quarterback of my local high  
9 school.

10 I am not an agent of the Mexican  
11 Government, nor are my colleagues in the State  
12 Legislature, but in California and throughout this  
13 nation, we have tolerated a hysteria. A specter is  
14 being created that is creating profound intolerance  
15 both in our public policy makers and in our  
16 community. The tragedies in Pennsylvania to the  
17 Amish community aren't far from the tragedies in  
18 Pennsylvania of Hazelton and the desire to have  
19 Latino immigrants not live there, pay rent there,  
20 and work there. And that's not far from the great  
21 idiocy of last Thursday when we decided to build a  
22 wall that will do nothing to protect us from two and  
23 a half million people who come here and will not be  
24 impacted by that at all, nor by the idiocy expressed  
25 and articulated by our Governor in failing to impose

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1 the responsibility of driving legally upon all  
2 residents of the state and endangering our highways,  
3 reducing safety and security in our nation.

4 These times that we live in are unique,  
5 but not without precedent. In this country, in the  
6 1930s, citizens like myself were deported, and this  
7 Governor, this year, refused to, one, permit our  
8 schools to acknowledge that, and to permit an  
9 opportunity for reparation for those citizens like  
10 myself. I say that what is happening here is a --

11 MODERATOR RIVERA: Sir, you're going to  
12 have to wind up here.

13 MR. CEDILLO: I'm happy to wind up. And  
14 thank you. What is happening here is under your  
15 charge, to distinguish between the First Amendment,  
16 this precious amendment of our Constitution, the  
17 foundation of our great nation, but the limits of  
18 that, and that hate and intolerance and bigotry for  
19 all of us here are obscene and should not be  
20 protected. Thank you.

21 MODERATOR RIVERA: Thank you.

22 Do we have Mr. Weller on microphone A?  
23 All right, sir you have two minutes.

24 MR. WELLER: Thank you very much. My  
25 name is Rob Weller. I am a small business

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1 independent producer. Commissioners, thank you very  
2 much. Over the last 13 years, my partner and I have  
3 proudly produced nearly 9,000 episodes of programs  
4 for nearly 30 networks. We have employed thousands  
5 of young producers, writers and directors who love  
6 this business and care about this business. In that  
7 same period of time, Commissioners, of those nearly  
8 9,000 programs, we own less than one dozen. We have  
9 ancillary rights to less than two dozen.

10 I'm here to speak for the independent  
11 producer. If the large consolidated companies are  
12 necessary huge engines to drive our entertainment  
13 business in this country, then in many, if not most  
14 instances, it's the idea resources of the small  
15 independent producers that not only provides the  
16 fire for that engine, but also the rails to keep  
17 them on track. Those idea resources, Commissioners,  
18 are being exhausted.

19 The independent producer lacks economic  
20 sustainability. The very beginning of the idea chain  
21 for television is on the verge of extinction in the  
22 United States because the little guy just can't make  
23 it. The vast majority have no back end, no cut of  
24 the pie, no ancillary rights with which to build up  
25 some kind of cup of money to get you through a rainy

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1 day. The independent producer in America has become  
2 no more than a manufacturer of programming who  
3 delivers his goods, then says goodbye, left to  
4 continue only if he invents an entire new slate of  
5 goods to then again manufacture. There's no safety  
6 net, no retirement, no way to sustain a business.

7 MODERATOR RIVERA: Mr. Weller, you have  
8 to stop now.

9 MR. WELLER: Thank you very much.

10 MODERATOR RIVERA: Thank you.

11 Mr. Hill, you have two minutes, sir.

12 MR. HILL: Mr. Chairman, fellow  
13 Commissioners, I testified before the FCC en banc  
14 hearing on December 14, 1990, and I commend to you a  
15 review of that testimony. It is the precedent on  
16 which the next ruling should be made. I read to you  
17 contribution made at that point, "Independent  
18 production is on its death bed because program  
19 production marketplace has become dominated by large  
20 vertically integrated studios, and the domination of  
21 program production by a few huge conglomerates is an  
22 issue that dwarfs any other FCC concern." Submitted  
23 by Robert Wright, President of NBC, who pledged at  
24 those hearings, that deregulated the networks which  
25 spawned a renaissance of independent production.

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1 A review of the record will make clear  
2 that the networks transgressed by extracting rights  
3 in conditioning access before regulation, and they  
4 have shown themselves to be corporate recidivists  
5 after deregulation. It is essential that we have a  
6 25 percent set-aside, not merely to protect the  
7 creative flow of ideas, as so eloquently testified  
8 by Mr. Cannel and others earlier, but to protect the  
9 economic marketplace.

10 We are living with price-fixing now of  
11 the worst kind. The secondary and tertiary rights  
12 of network shows are sold to related entities  
13 without arm's length transaction in artificial deals  
14 that undermine the residual structures that have  
15 been negotiated by our guilds over generations. We  
16 must have a 25 percent set-aside, at minimum, in  
17 order to restore both creative diversity and  
18 economic justice. Thank you for your time.

19 MODERATOR RIVERA: Thank you.

20 Mr. Navarro. Dan Navarro?

21 MR. NAVARRO: Thank you.

22 MODERATOR RIVERA: Thank you. You have  
23 two minutes, sir.

24 MR. NAVARRO: My name is Dan Navarro,  
25 and I'm an independent recording artist, a proud

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1 member of AFTRA, and I'm a singer and a songwriter,  
2 as well. For the last 20 years, I performed with my  
3 group, Lowan and Navarro, and have ten albums to my  
4 credit. Over the years, I've been able to make a  
5 good living performing live, and also getting my  
6 music on the radio on dozens upon dozens of stations  
7 nationwide.

8 About the mid 90s, when the  
9 consolidation started, programming began to be done  
10 by outside entities, either consultation firms owned  
11 by companies like Clear Channel or by station groups  
12 with a single program director controlling a number  
13 of stations. And at that point in time, my  
14 livelihood began to disappear. What then followed  
15 was certain stations doing things like playing our  
16 music, but not reporting it to the trade press.  
17 This is a little bit like dating somebody but not  
18 telling your friends or your parents. It's really  
19 not a great way for us to make a living doing this.  
20 Or when they would report it, they would report it  
21 maybe once or twice, but not really reflecting the  
22 extent to which they were playing it. Our fans  
23 would come to us after shows and they would say, "We  
24 don't hear you where we used to hear you, what can  
25 we do about it?" And we would say, "Contact the

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1 station; make a request; talk to them about how you  
2 feel."

3 When news got back to the stations that  
4 we had requested this of them, when they requested  
5 it of us, we would be banned from performing live on  
6 the air, we would have our music dropped, we would  
7 basically be in hot water with the stations for  
8 simply advising them to exercise their rights and go  
9 to the stations that they are used to hearing us on  
10 and requesting us. Somehow to me this doesn't serve  
11 the public interest, when your audience requests it,  
12 but they can't get it heard, or when they can get it  
13 heard, but it's not reported so that you can  
14 continue to build an audience by being out there and  
15 having other stations know that your music is being  
16 played.

17 As far as I can see, from my own  
18 personal experience, if the consolidation of media,  
19 that we've already seen become so detrimental to the  
20 record business on the whole, if it continues  
21 unabated at the radio business, it'll be the end of  
22 diversity, it'll be the end of localism, and it'll  
23 be the end of a variety of music as we see it.  
24 Thank you.

25 MODERATOR RIVERA: Thank you.

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1 Dave -- David E. Cook? Mr. Cook, you  
2 have two minutes.

3 MR. COOK: I'm from the Bay Area. I  
4 write for the San Jose Mark, and I'm also a radio  
5 programmer. The thing that I want to say is Bob  
6 Taylornoff (ph) when my man was talking about on the  
7 music tip -- when Powell was the head of the  
8 Commission, he told me personally, as well as many  
9 people, that the internet was going to be the saving  
10 grace and that new technology was going to even the  
11 playing field. As we can see, that is not  
12 happening. With Congress passing legislation to get  
13 rid of net neutrality and the Senate looking like  
14 they are going to follow suit, that's going to be a  
15 strike against us.

16 The second thing that is not being  
17 talked about is that all these radio stations that  
18 we're dealing with under consolidation are making a  
19 truckload of money with their own internet in HD  
20 radio stations. Now, what they don't tell you is  
21 that they're flipping a little script behind the  
22 scenes by basically making sure that people -- the  
23 record labels that they deal with pay them under the  
24 table, and they'll put them on those internet  
25 stations, which you're not regulating, and then in

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1 return they'll give them airwaves -- time on the  
2 regular airwaves. So, in other words, what happens  
3 is we're beat on the internet, and then we're beaten  
4 on the airwaves, and then you want to give them more  
5 power to barter with. Meanwhile, most of us have  
6 nothing to really deal with, no bargaining chip.

7 On top of that, the RIAA lobbied to get  
8 a high interest rates or royalty rates paid, so if I  
9 want to start my own internet radio station, I can't  
10 even compete with those corporations that are now  
11 dominating those new technology markets. Just to  
12 show you how technology works and how consolidation  
13 manifests itself, on the way here I listened to  
14 Steve Harvey on an urban station, Tom Joiner on a  
15 consolidated urban station, I listened to Big Boy on  
16 a consolidated urban station, and Ryan Seacrest on a  
17 consolidated urban station. You see hardly no black  
18 folks here, because none of those four people,  
19 despite their popularity, bothered to tell anybody  
20 about this hearing. Yet I was here on Saturday, and  
21 it was packed to the rafters because they told  
22 everybody that Russell Simmons was going to be here.

23 So if this doesn't underscore what is  
24 happening when you put the hands -- when you put  
25 power in the hands of a few, I don't know what else

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1 I can say but payola is something that's going to be  
2 *the death of us. Thank you.*

3 MODERATOR RIVERA: Thank you, Mr. Cook.

4 Mr. King? Cleese (ph) King? You have  
5 two minutes, sir. Thank you.

6 MR. KING: Mr. Chairman Martin,  
7 Commissioners, my name is Celess King the fourth.  
8 I'm the Vice Chairman of the Congress for Racial  
9 Equality, California Legal Defense and Education  
10 Fund, located here in Los Angeles main head  
11 quarters. Today I would like to talk about what's  
12 really real in terms of African-Americans, Latinos  
13 in local programming.

14 When I say "local programming," I'm  
15 talking about local programming from a news  
16 standpoint. Funny is this, whenever anything  
17 happens in our communities, it doesn't get reported.  
18 The reason it doesn't get reported is because media  
19 is controlled by a handful of corporations that we  
20 don't count for. Not only do we not count for, what  
21 they do program, they program with a direct intent  
22 to control the political power and the persuasion of  
23 the votes in this particular community and every  
24 other community. When a handful of media owners  
25 control the media the way that they do, they impact

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1 the psyche and the thought process of the very  
2 people that they are supposed to be serving, and  
3 they are controlling rather than serving, because  
4 they are manipulating.

5 The whole process of the media today is  
6 to manipulate and control with an outcome that is  
7 beneficial to capital versus labor. And when I say  
8 capital versus labor, I'm talking about across the  
9 board, not only in the news and the entertainment,  
10 but everywhere, because what we are looking at today  
11 is we are looking at the downward harmonization of  
12 labor. And it is compressed from both the top and  
13 the bottom. When we heard them say, well, you know,  
14 they'll give you 50 percent of whatever this is or  
15 whatever -- it goes across the board.

16 And what it's all about, programming  
17 design. Programming design is designed for an  
18 outcome, not for entertainment. It is designed to  
19 create a specific outcome with specific impetus. It  
20 is going back to the Skin/Arian kind of an approach  
21 of, you know, controlled stimulus equals controlled  
22 response, and you know what we have in between is an  
23 empty box, but the empty box is now beginning to  
24 open up again and it's beginning to process --

25 MODERATOR RIVERA: You have to stop.

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1 MR. KING: And we're saying is -- is it  
2 is time for enforcement of localized programming  
3 being owned by local entities.

4 MODERATOR RIVERA: Thank you, sir.

5 MR. KING: Thank you.

6 MODERATOR RIVERA: Tracy Edmunds?

7 MS. EDMUNDS: Good afternoon. My name  
8 is Tracy Edmunds, and I'm a producer of television,  
9 film and music. And the story that I'd like to  
10 share with you concerns the radio industry, but its  
11 impact is relevant to all media that utilize the  
12 public airwaves of broadcasting.

13 I was largely unaware of the dangers of  
14 corporate consolidation within the media until about  
15 two years ago. At that time, my then husband and I  
16 put together what we hoped would be a really  
17 important public service project. We gathered over  
18 30 of the most respected artists in urban music and  
19 recorded a song that encouraged listeners to take  
20 part in democracy and to vote on Election Day.  
21 Everyone involved volunteered their services and  
22 their time, and the song itself was non-partisan.  
23 Its only focus was to encourage a sense of  
24 citizenship and a belief in the importance of  
25 participatory democracy.

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