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November 14, 2006

Via Electronic Filing

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th St., S.W., TW-A325
Washington, D.C. 20554

Re: Notice of *Ex Parte* Communication
MB Docket No. 06-121

Dear Ms. Dortch,

Pursuant to section 1.1206(b)(2) of the Commission's rules, we hereby submit this notice regarding an *ex parte* meeting in the above-referenced proceeding.

On November 13, 2006 Prof. Catherine Sandoval of Santa Clara University, Prof. Leonard Baynes of St. John's University, Prof. John Arnold of Howard University, and Prof. Angela Campbell, Corie Wright, and Tarsha Luke of the Institute for Public Representation at Georgetown University Law Center met with Media Bureau Staff members Rosemary Harold, Roy Stewart, Rick Chessen, William Freedman, Mania Baghdadi, Judith Herman, Tracy Waldon, and Krista Hartwell.

Participants in this meeting commented on and made suggestions for improvement of the studies proposed by the FCC in a July 21, 2006 News Release for the Minority Ownership Proceeding. They further explained and answered questions about the suggestions made in their written comment, which was submitted in proceeding MB 06-121. Participants emphasized the following:

- The Commission's proposed studies should account for demographic differences such as age, gender, race, language, economic status, and the rural/urban divide when considering media access and media use. The Commission should not extrapolate media access and

usage from generalized data, because media access and usage differs sharply between demographic groups and geographic locations. These cleavages are most prominent with regards to Internet access. Participants emphasized the need to consider quality of access issues, such as whether a user has Internet access at home versus access at work or in public spaces, such as libraries or schools. Citing recent GAO statistics indicating that only 40% of Americans have broadband Internet access at home, participants noted that Internet access at work or in libraries or schools, which often have limits on use, cannot be considered substitutes for the broadcast media, a ubiquitous source of news and information in most homes.

- The Commission should improve its data collection from 323 Ownership Forms, and should re-evaluate the decision to exempt individual owners and low-power television stations from reporting. Because many female and minority owners are either sole-proprietors or low-power television owners, current reporting exemptions have resulted in underreporting of minority and female media ownership. While amassing this data would probably result in only slight increases in calculated minority and female ownership levels, the Commission should have the most accurate picture of the state of media ownership.

- The FCC should collect data regarding length of ownership and station ownership changes over time, in order to analyze the how changing regulatory factors have affected decisions by minorities and women to buy or sell stations. In particular, participants urged the Commission to focus on how consolidation has affected advertising prices and financing for minority and female owned stations.

- An additional study should be undertaken to examine the correlation between concentration in local radio markets and female and minority ownership. In order to make the research comprehensive and accurate, both market share and revenue be taken into account because many minority owned radio stations tend to generate lower revenues.

- Finally, participants also discussed the implications of female and minority preferences with regards to *Adarand v. Pena.*

Copies of the participants comments, filed Oct. 23, 2006 in MB Dkt, 06-121, as well as a report by Professor Baynes, entitled *Rethinking the Discourse on Race* (attached) were left with FCC staffers.

In accordance with the Commission's rules this *ex parte* notice is being filed electronically in the above referenced docket. If you have questions regarding this filing please do not hesitate to contact me at 202-662-9543.

Respectfully Submitted,
/s/
Coriell Wright
Institute for Public Representation