

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
2006 Quadrennial Regulatory Review - Review of	)	MB Docket No. 06-121
the Commission’s Broadcast Ownership Rules	)	
and Other Rules Adopted Pursuant to Section 202	)	
of the Telecommunications Act of 1996	)	
	)	
2002 Biennial Regulatory Review - Review of	)	MB Docket No. 02-277
the Commission’s Broadcast Ownership Rules	)	
and Other Rules Adopted Pursuant to Section 202	)	
of the Telecommunications Act of 1996	)	
	)	
Cross-Ownership of Broadcast Stations and	)	MM Docket No. 01-235
Newspapers	)	
	)	
Rules and Policies Concerning	)	MM Docket No. 01-317
Multiple Ownership of Radio Broadcast	)	
Stations in Local Markets	)	
	)	
Definition of Radio Markets	)	MM Docket No. 00-244
	)	
Ways to Further Section 257 Mandate and to	)	MB Docket No. 04-228
Build on Earlier Studies	)	

To: The Commission

**COMMENTS  
OF  
THE NATIONAL ASSOCIATION OF BLACK OWNED BROADCASTERS, INC.  
AND  
THE RAINBOW/PUSH COALITION, INC.**

The National Association of Black Owned Broadcasters, Inc. (“NABOB”) and Rainbow/PUSH Coalition, Inc. (“Rainbow/PUSH”), by their attorneys, hereby submit their

Comments on the Second Further Notice of Proposed RuleMaking (“SFNPRM”) in the above-captioned proceedings.

In the SFNPRM, the Commission requested comment on the proposals submitted by the Minority Media Telecommunications Council (“MMTC”) in the 2002 biennial review proceeding, as directed by the Third Circuit Court of Appeals in *Prometheus Radio Project v. Federal Communications Commission*.<sup>1</sup> The Commission also requested comment on the proposals submitted to the Commission by the Advisory Committee on Diversity for Communications in the Digital Age (“Diversity Committee”).

NABOB and Rainbow/PUSH submitted proposals to increase minority ownership in the broadcast industry in the 2002 proceeding, and again requested consideration of those proposals in our Petition for Reconsideration, which is still pending.<sup>2</sup> The Commission adopted NABOB and Rainbow/PUSH’s proposal to define radio markets to be the same as Arbitron markets.<sup>3</sup> However, the Commission did not comment on or consider NABOB and Rainbow/PUSH’s other proposals.<sup>4</sup> NABOB and Rainbow/PUSH submitted their proposals again in this proceeding.<sup>5</sup> NABOB and Rainbow/PUSH, therefore, request that, like the MMTC proposals, the Commission consider

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<sup>1</sup>373 F.3d 372, 422, n. 59, (3d Cir. 2004), *stay modified on rehearing*, No. 03-3388 (3d Cir. Sept. 3, 2004), *cert. denied*, 73 U.S.L.W. 3466 (U.S. June 13, 2005) (Nos. 04-1020, 04-1033, 04-1045, 04-1168 and 04-1177).

<sup>2</sup>Comments of NABOB and Rainbow/PUSH, January 2, 2003; Petition for Reconsideration of NABOB and Rainbow/PUSH, September 4, 2003.

<sup>3</sup>*In the Matter of 2002 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*, 18 FCC Rcd 13620, MB Docket Nos. 02-277, 01-235, 01-317, 00-244, at paras. 276-281.

<sup>4</sup>18 FCC Rcd at 13634-52, paras. 46-52.

<sup>5</sup>Comments of NABOB and Rainbow/PUSH, October 23, 2006.

NABOB and Rainbow/PUSH's proposals to increase minority ownership in this proceeding.

With respect to MMTC's proposals, NABOB and Rainbow/PUSH support the proposals to increase minority ownership. NABOB and Rainbow/PUSH also support MMTC's request that the Commission adopt a definition for a socially disadvantaged business ("SDB") in this proceeding. NABOB and Rainbow/PUSH also support each of the proposals of the Diversity Committee<sup>6</sup>.

Respectfully submitted,

**THE NATIONAL ASSOCIATION OF BLACK  
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By: /s/ James L. Winston

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<sup>6</sup>James L. Winston, undersigned counsel for NABOB, serves as a member of the Diversity Committee.

**RAINBOW/PUSH COALITION, INC.**

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