

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

In the Matter of	)	
	)	
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
	)	
	)	
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	)	MB Docket No. 02-277
	)	
	)	
Cross-Ownership of Broadcast Stations and Newspapers	)	MB Docket No. 01-235
	)	
	)	
Rules and Policies Concerning Multiple Ownership of Radio Stations in Local Markets	)	MM Docket No. 01-317
	)	
	)	
Definition of Radio Markets	)	MM Docket No. 00-244

**COMMENTS OF BELO CORP.**

Guy H. Kerr  
Senior Vice President/Law and  
Government  
BELO CORP.  
400 South Record Street  
Dallas, Texas 75202

Richard E. Wiley  
James R. Bayes  
Martha E. Heller  
WILEY REIN LLP  
1776 K Street NW  
Washington, DC 20006  
202.719.7000  
*Attorneys for Belo Corp.*

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**COMMENTS OF BELO CORP.**

**INTRODUCTION AND SUMMARY**

Belo Corp. (“Belo”)<sup>1</sup> hereby submits its comments in response to the *Public Notice* issued by the Commission on July 31, 2007 concerning 13 research studies released by the

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<sup>1</sup> Belo has been in the media business for 165 years. The Company began publishing its first newspaper in 1842, entered the radio business in 1922, and received its first television license in 1950 to operate WFAA-TV in Dallas-Fort Worth. Today, Belo owns and operates a diversified group of television broadcasting, newspaper publishing, cable news, and interactive media assets in markets throughout the nation. In addition to WFAA, Belo owns 19 other television stations in 15 markets across the country, reaching 14 percent of U.S. television households. Belo also publishes several respected daily newspapers, including *The Dallas Morning News*, *The Providence Journal*, and *The Press-Enterprise* (Riverside, CA). Belo has owned a newspaper/broadcast combination consisting of WFAA and *The Dallas Morning News* in the Dallas market for nearly 60 years. On October 1, 2007, Belo announced that it had approved a plan to create separate television and newspaper businesses by spinning off its existing newspaper business into a publicly-traded company to be called A. H. Belo Corporation (“A. H. Belo”). The spin-off will be accomplished through a distribution of A. H. Belo shares to Belo Corp. shareholders and is expected to occur in the first quarter of 2008. Following the distribution, the two companies will continue to be commonly owned and to share a number of common directors or officials. In particular, Robert W. Decherd, currently Chairman and Chief Executive Officer of Belo Corp., will become Chairman, President, and Chief Executive Officer of A. H. Belo as well as the Non-Executive Chairman of Belo Corp.

agency in the above-captioned proceeding.<sup>2</sup> At this late stage in the series of media ownership rulemakings the FCC has conducted in recent years, the agency already has before it a mountain of evidence demonstrating that allowing greater levels of both newspaper/broadcast cross-ownership and local television co-ownership will not harm, and in fact will advance, its traditional policy objectives. These facts have been demonstrated time and again through both the extensive real-world experiences of existing combination owners, including Belo, and the overwhelming weight of empirical evidence.

The most recent research offers an additional layer of evidence to back up these findings. Impressively, no fewer than five of the 13 studies released by the Commission in July provide additional concrete evidence that cross-ownership with a local daily newspaper enhances the quantity and/or the quality of a broadcast station's local or national news programming. In addition, one of the studies soundly confirms previous showings that cross-ownership does not hinder, and indeed has little impact on, the level of viewpoint diversity available in local media markets.

While the most recent studies do not place great emphasis on the local television ownership restriction and its effect on local communities, the evidence provided, once again, substantiates what the FCC already well knows: that relaxing the current local TV ownership rule will advance the agency's public interest objectives. In sum, the research studies released by the agency in this round of these protracted proceedings further validate that the long outdated newspaper/broadcast cross-ownership ban finally must be eliminated and that the local television ownership rule should be relaxed, at least to the level recommended by the Commission in its 2003 media ownership decision. Belo respectfully submits that the FCC should move forward to take both of these important actions as soon as possible.

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<sup>2</sup> See *FCC Seeks Comment on Research Studies on Media Ownership*, Public Notice, MB Docket Nos. 06-121, 02-277, 01-235, MM Docket Nos. 01-317, 00-244 (rel. July 31, 2007). Although the studies are numbered 1-10, Study 4 actually includes four distinct analyses, bringing the total number of studies to 13.

**I. THE MOST RECENT EMPIRICAL STUDIES PROVIDE YET ANOTHER SOURCE OF CONCLUSIVE EVIDENCE THAT THE NEWSPAPER/BROADCAST CROSS-OWNERSHIP BAN IS COUNTERPRODUCTIVE AND THEREFORE MUST BE ELIMINATED**

**A. The Studies Further Confirm That Allowing Newspaper/Broadcast Cross-Ownership Will Enhance the FCC's Localism Objectives**

As Belo explained in its prior comments in this proceeding, both the FCC and the U.S. Court of Appeals for the Third Circuit already have concluded that restricting newspaper/broadcast cross-ownership undermines the agency's localism objectives.<sup>3</sup> These sound determinations were based on an extensive record demonstrating that broadcast stations that are jointly owned with a co-located daily newspaper consistently provide both a greater quantity and a higher caliber of local news and information.<sup>4</sup> Like many other existing combination owners, Belo has contributed to this record by offering insight into its experience as the owner and operator of an existing newspaper/broadcast combination. Throughout the FCC's serial media ownership proceedings, Belo has offered numerous accounts of its experience as both the publisher of *The Dallas Morning News* and the owner and operator of WFAA-TV in Dallas. In particular, the Company has demonstrated how this cross-ownership relationship has enhanced WFAA's ability to maintain its status as a top-rated and award-winning local news station that continually has provided its local audience with outstanding in-depth reporting and innovative services.<sup>5</sup>

The empirical studies recently released by the Commission provide yet another link in this consistent chain of evidence. Similar to the studies that were commissioned by the agency in connection with its 2002-2003 media ownership rulemaking, the latest research further

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<sup>3</sup> See Belo Corp. Comments, MB Docket Nos. 06-121, *et al.*, at 6 (filed Oct. 23, 2006) ("Belo 2006 Comments"); *Prometheus Radio Project v. FCC*, 373 F.3d 372, 398-400 (3d Cir. 2004).

<sup>4</sup> Belo 2006 Comments at 6.

<sup>5</sup> See, e.g., *id.* at 13-16; see also Belo Corp. Comments, MB Docket No. 01-235, at 6-7 (filed Dec. 3, 2001) ("Belo 2001 Comments").

confirms the real-world showings and common-sense conclusion that eliminating the cross-ownership ban would serve the interests of local communities.<sup>6</sup> Indeed, at least five of the 13 studies released in July 2007 demonstrate that broadcast outlets that are jointly owned with a local daily newspaper provide more and/or higher quality local news or informational programming than other stations.

The findings of Study 6, “*The Effects of Cross-Ownership on the Local Content and Political Slant of Local Television News*,”<sup>7</sup> are perhaps the most extensive in this respect. Study 6 is based on an in-depth analysis of more than 300 late evening local newscasts aired on 104 stations during the week prior to the 2006 general election.<sup>8</sup> The analysis includes every television station cross-owned with a same-market daily newspaper as well as the other major network-affiliated stations located in the same markets. As the author emphasizes, the study represents “the most comprehensive analysis of the effects of cross-ownership to date” in that “[n]o previous study has examined the local news content and slant of every [existing] cross-owned station.”<sup>9</sup>

Study 6 includes several findings that provide insight into the depth and quantity of national and local news offered by cross-owned TV stations vis-à-vis their standalone counterparts. For example, the analysis shows that the cross-owned stations offered an average

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<sup>6</sup> See, e.g., Thomas C. Spavins, Loretta Denison, Scott Roberts, and Jane Frenette, FCC, *The Measurement of Local Television News and Public Affairs Programs*, released in MB Docket No. 02-277 (Sept. 2002), available at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DOC-226838A12.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-226838A12.pdf) (concluding that “[a]ffiliates co-owned with newspapers experience noticeably greater success under our measures of quality and quantity of local news programming than other network affiliates”).

<sup>7</sup> Jeffrey Milyo, Center for Applied Economics, University of Kansas, School of Business; Department of Economics and Truman School of Public Affairs, University of Missouri, *The Effects of Cross-Ownership on the Local Content and Political Slant of Local Television News*, released in MB Docket Nos. 06-121, et al. (Revised Sept. 2007), available at [http://fjallfoss.fcc.gov/edocs\\_public/attachmatch/DA-07-3470A7.pdf](http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-07-3470A7.pdf) (“Study 6”).

<sup>8</sup> *Id.* at 1.

<sup>9</sup> *Id.* The author further notes that “the within-market approach of this study has the advantage that it allows identification of the effect of cross-ownership even in the presence of otherwise confounding unobservable market characteristics, such as the newsworthiness of current events or consumers’ preference for local and political news.” *Id.*

of between four and eight percent more minutes of overall news coverage per late night newscast, as well as between seven and 10 percent more minutes of local news.<sup>10</sup>

Significantly, Study 6 also includes a specific focus on the amount of time stations devote to coverage of state and local politics. As Belo has demonstrated to the Commission on numerous occasions, offering local audiences a high caliber of both local and national political news and information long has been a high priority for the Company's broadcast outlets.<sup>11</sup> With respect to this particular category of local news, the difference between cross-owned stations and other stations reflected in the study was even more pronounced. Study 6 finds that the newscasts of cross-owned stations contained 24 to 27 percent more coverage of state and local politics than those of other same-market stations.<sup>12</sup> It further suggests that these stations devote more news time to several other categories of political news, including candidate coverage, candidate speaking time, and political opinion polls.<sup>13</sup> Given the emphasis that some members of the Commission and a number of advocacy groups have placed on this particular genre of local news coverage, this positive correlation between cross-ownership and state and local election coverage should carry weight with all of the relevant decision makers at the agency.<sup>14</sup>

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<sup>10</sup> *Id.* at 19-20.

<sup>11</sup> *See, e.g.*, Belo 2006 Comments at 15.

<sup>12</sup> Study 6 at 21.

<sup>13</sup> *See id.* Though not all these findings were deemed statistically significant, the increase in state and local candidate coverage is significant at the 0.10 level. *See id.* at 41 (Table 9).

<sup>14</sup> *See, e.g.*, Michael J. Copps, *The Price of Free Airwaves*, as published in the New York Times, 2007 FCC LEXIS 4158 (June 2, 2007); Michael J. Copps, *Media Mergers Are Damaging American Democracy*, as published in the Financial Times, 2006 FCC LEXIS 5252 (June 21, 2006); Statement of Commissioner Jonathan S. Adelstein, Broadcast Media Ownership Hearing, Harrisburg, Pennsylvania, 2007 FCC LEXIS 1525 (Feb. 23, 2007); Consumers Union, Consumer Federation of America and Free Press Comments, MB Docket Nos. 06-121, *et al.*, at 15 (filed Oct. 23, 2006) ("CU/CFA 2006 Comments"); *id.* at Study 4, at 58-77.

The conclusions of Study 4, Section I, “*The Impact of Ownership Structure on Television Stations’ News and Public Affairs Programming*,”<sup>15</sup> are similarly compelling. In order to assess the impact of a variety of ownership characteristics, this study provides a comprehensive examination of the news and public affairs programming aired by virtually every full-power TV station in the U.S. over a two-week period during the four year period between 2002 and 2005.<sup>16</sup> Overall, analyses were done for 6,700 weekly TV schedules.<sup>17</sup> Study 4.I affirmatively finds that “[c]ross-ownership by a TV station of a newspaper in the same city . . . [is] associated with a positive, statistically significant increase in news programming.”<sup>18</sup> Specifically, the analysis shows that newspaper/TV cross-ownership generates a “large increase” in news production of 18 minutes, or 11 percent, per day.<sup>19</sup> Yet another of the research studies, Study 3, “*Television Station Ownership Structure and the Quantity and Quality of TV Programming*,” determines that television stations commonly owned with a local newspaper provided three percent more local news than other stations over an eight-week period.<sup>20</sup> This conclusion was based on a study of every program on every major broadcast station during the Fall and Spring “Sweeps” between 2003 and 2006.<sup>21</sup>

Two other studies focus expressly on newspaper/radio cross-ownership. These studies, like those analyzing television cross-ownership, further substantiate that the ability of a

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<sup>15</sup> Daniel Shiman, FCC, *The Impact of Ownership Structure on Television Stations’ News and Public Affairs Programming*, released in MB Docket Nos. 06-121, *et al.* (July 2007), available at [http://fjallfoss.fcc.gov/edocs\\_public/attachmatch/DA-07-3470A5.pdf](http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-07-3470A5.pdf) (“Study 4.I”).

<sup>16</sup> *Id.* at I-2.

<sup>17</sup> *Id.* at i.

<sup>18</sup> *Id.* at I-2.

<sup>19</sup> *Id.* at I-21-22.

<sup>20</sup> Gregory S. Crawford, Department of Economics, University of Arizona, *Television Station Ownership Structure and the Quantity and Quality of TV Programming*, released in MB Docket Nos. 06-121, *et al.*, at 23 (July 23, 2007), available at [http://fjallfoss.fcc.gov/edocs\\_public/attachmatch/DA-07-3470A4.pdf](http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-07-3470A4.pdf) (“Study 3”).

<sup>21</sup> *Id.* at 7.

broadcast outlet to share resources with a co-located daily newspaper advances the Commission's localism goals. First, Study 4, Section III, "*Factors that Affect a Radio Station's Propensity to Adopt a News Format*,"<sup>22</sup> conducts an extensive survey of the format choices of approximately 8,000 radio stations between 2002 and 2005.<sup>23</sup> Not surprisingly, the study reveals that radio stations that are cross-owned with a daily newspaper in the same market are far more likely to offer local audiences a news format than other stations. In fact, the analysis shows that they are four to five times more apt to do so.<sup>24</sup>

Finally, Study 5, "*Station Ownership and Programming in Radio*," provides evidence that newspaper/radio cross-ownership has "a statistically significant, positive effect on listenership."<sup>25</sup> Using format, airplay, and ratings data from the third quarter of 2005, the author offers an empirical evaluation of the effects of radio station ownership structure on content diversity as well as popularity.<sup>26</sup> Among other findings, Study 5 concludes that joint ownership with a daily newspaper is associated with an increase in both overall and morning drive-time listenership for cross-owned radio stations.<sup>27</sup>

In sum, each of these recent empirical studies shows an affirmative, positive correlation between either the quantity of broadcast news programming or overall programming quality, on the one hand, and local newspaper cross-ownership, on the other. While some of the studies may reveal more pronounced results than others, each provides further confirmation of the already

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<sup>22</sup> Craig Stroup, FCC, *Factors That Affect a Radio Station's Propensity to Adopt a News Format*, released in MB Docket Nos. 06-121, *et al.*, (July 2007), available at [http://fjallfoss.fcc.gov/edocs\\_public/attachmatch/DA-07-3470A5.pdf](http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-07-3470A5.pdf) ("Study 4.III").

<sup>23</sup> See Study 4, Abstract.

<sup>24</sup> Study 4.III at 15.

<sup>25</sup> See Tasneem Chipty, CRA International, Inc., *Station Ownership and Programming in Radio*, MB Docket Nos. 06-121, *et al.*, at 3 (June 24, 2007), available at [http://fjallfoss.fcc.gov/edocs\\_public/attachmatch/DA-07-3470A6.pdf](http://fjallfoss.fcc.gov/edocs_public/attachmatch/DA-07-3470A6.pdf) ("Study 5").

<sup>26</sup> *Id.* at 2.

<sup>27</sup> *Id.* at 42.

unequivocal evidence that repealing the long outdated cross-ownership ban will advance the FCC's public interest objectives. Certainly, they collectively refute the assertions of opponents of deregulation that maintaining the ban somehow is necessary in order to preserve the caliber of news or other important programming available to local audiences.<sup>28</sup>

**B. The Research Corroborates the Wealth of Evidence Already on the Record That Cross-Ownership Does Not Harm Viewpoint Diversity**

As Belo has explained in a number of previous filings, WFAA-TV and *The Dallas Morning News* do not coordinate their opinions or viewpoints.<sup>29</sup> To the contrary, the two outlets rarely are even aware of each other's positions on controversial issues prior to public dissemination. While the newspaper and TV station share some resources, WFAA-TV generally is not privy to the editorial positions to be taken by *The Dallas Morning News*.<sup>30</sup> For its part, WFAA-TV, as is the typical practice in the television news industry, makes a concerted effort to take no editorial or opinion positions at all.<sup>31</sup> Accordingly, the jointly-owned outlets are able to provide their local audience with superior service without posing any threat to marketplace diversity.

Both real-world testimonials<sup>32</sup> and empirical evidence<sup>33</sup> already make clear that Belo's experience in this respect is typical among combination owners. The FCC's recent research

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<sup>28</sup> See, e.g., CU/CFA 2006 Comments at 16-18; *id.* at Study 4, 58-77; *id.* at Study 10, at 184-210.

<sup>29</sup> See, e.g., Belo 2006 Comments at 16-17; Belo 2001 Comments at 4.

<sup>30</sup> See Belo 2006 Comments at 16.

<sup>31</sup> *Id.* at 16-17.

<sup>32</sup> See Belo Corp. Reply Comments, MB Docket Nos. 06-121, *et al.*, at 15-16 (filed Jan. 16, 2007) ("Belo 2006 Reply Comments"); Newspaper Association of America Reply Comments, MB Docket Nos. 06-121, *et al.*, at 23-27 (filed Jan 16, 2007).

<sup>33</sup> See, e.g., David Pritchard, *Viewpoint Diversity in Cross-Owned Newspapers and Television Stations: A Study of News Coverage of the 2000 Presidential Election Campaign*, released in MB Docket No. 02-277 (Sept. 2002), available at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DOC-226838A7.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-226838A7.pdf); Matthew Gentzkow & Jesse M. Shapiro, University of Chicago and National Bureau of Economic Research, *What Drives Media Slant?: Evidence from U.S. Daily Newspapers* (2006), available at <http://faculty.chicagogsb.edu/matthew.gentzkow/research/biasmeas111306.pdf>.

studies shed further light on this issue by including a comparison of the viewpoints expressed by cross-owned TV stations to other stations located in the same markets. Unlike other empirical research regarding the relationship between cross-ownership and viewpoint, Study 6 takes every existing newspaper/broadcast combination into consideration.<sup>34</sup> Researchers coded each of the 300 late evening local newscasts included in the study for “political slant.”<sup>35</sup> For each newscast, this comprehensive process involved measuring the speaking time allotted to candidates, the amount of time devoted to all candidate coverage, the amount of time dedicated to issues typically favored by one political party or the other, and time covering polls favoring one or the other party.<sup>36</sup> Further, in order to gauge the political orientation of station owners, researchers both recorded the editorial endorsements of presidential candidates by cross-owned newspapers during the 2004 elections and measured the difference in campaign contributions the owners had made to the major parties and their candidates.<sup>37</sup>

The results of this extensive analysis were unambiguous. Consistent with other evidence before the FCC on this issue, Study 6 found no significant difference in political bias between cross-owned TV stations and the other major network-affiliated stations located in the same market.<sup>38</sup> Instead, the study’s findings suggest that any partisan viewpoint that may have been exhibited in the local newscasts in each market most likely is associated with average partisan voting preferences in that market, and not ownership.<sup>39</sup> Thus, once again, the record evidence

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<sup>34</sup> See Study 6 at 1.

<sup>35</sup> *Id.* at 6.

<sup>36</sup> *Id.* A “partisan issue” list was compiled by viewing the websites of each major party and each major party candidate for state governor or U.S. Senate in every state intersecting any DMA with cross-ownership. *Id.* at 11.

<sup>37</sup> *Id.* at 13, 15.

<sup>38</sup> *Id.* at 24, 25. (noting that “both cross-owned and non-cross-owned stations allocate political coverage fairly evenly”).

<sup>39</sup> *Id.* at 28.

before the agency plainly shows that the newspaper/broadcast ban is an artifact of a bygone era that need not be kept in place for the sake of safeguarding local viewpoint diversity.

**II. THE STUDIES AUGMENT THE SOLID RECORD BEFORE THE FCC DEMONSTRATING THAT THE LOCAL TELEVISION OWNERSHIP RULE SHOULD BE RELAXED**

Similar to its findings with respect to the newspaper/broadcast cross-ownership ban, the Commission concluded in its 2003 media ownership review that the existing restrictions on local television ownership undercut its traditional public interest objectives.<sup>40</sup> These conclusions, once again, were based on a combination of evidence provided by individual broadcasters and empirical findings.<sup>41</sup> The further comments submitted in the most recent rulemaking compound the evidence before the FCC on this issue and reinforce the conclusions the agency already has reached. Belo has been among the many group broadcast owners contributing to the consistent record regarding the agency's duopoly restrictions. In particular, Belo's experiences as an owner of several existing television duopolies demonstrate that consumers will benefit from relaxation of the current prohibitions. As the Company has shown with concrete examples, Belo's television combinations unequivocally provide more and higher quality news and information than they would as standalone stations.<sup>42</sup>

The studies released by the Commission in July further corroborate the cumulative showings already in front of the agency. Although the impact of the local television ownership rule was not a major focus of the Commission's most recent research studies, the one analysis that directly addresses this issue was solidly in line with prior evidence. Specifically, based on its comprehensive analysis of the programming aired on virtually every full-power TV station in the U.S. over a four-year period, Study 4.I shows that station co-ownership in the same market

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<sup>40</sup> See Belo 2006 Comments at 18-22. In reviewing the FCC's decision, the Third Circuit agreed with these findings. See *id.*; *Prometheus*, 373 F.3d at 415-16.

<sup>41</sup> See Belo 2006 Comments at 20.

<sup>42</sup> See *id.* at 22-27.

has a “large, positive, statistically significant increase on the quantity of news programming.”<sup>43</sup> Each additional co-owned station was associated with an additional 24 news minutes per day, or approximately a 15 percent increase.<sup>44</sup>

Belo submits that the record now before the Commission justifies finalization and implementation of the deregulatory action that the FCC attempted to take in 2003 with respect to its restrictions on local television ownership. Certainly, the comprehensive evidence that the agency now has accumulated with respect to this rule does not provide any rationale for backtracking from the modest deregulatory action the agency sought to take in 2003. To the contrary, the showings that the Commission already had before it in its last media ownership review were more than sufficient to justify the actions it took at that that time, and the further evidence that has been gathered since then only shows that the agency made the right decision in the first place.

### **III. CONCLUSION**

With the release of its 2007 research studies, there can be little doubt that the FCC now has a full record before it to finally move forward in this proceeding. The most recent empirical data validates the wealth of existing evidence demonstrating that both the newspaper/broadcast cross-ownership ban and the local television ownership rule are not needed to protect, and in important respects are counterproductive to, the important policy goals underlying the Commission’s regulation of broadcast ownership. Accordingly, Belo respectfully requests, once

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<sup>43</sup> Study 4.I at I-21.

<sup>44</sup> *Id.*

again, that the agency take action expeditiously to repeal the newspaper/broadcast prohibition and relax the existing local television ownership restriction.

Respectfully submitted,

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/s/

Guy H. Kerr  
Senior Vice President/Law and  
Government & Secretary  
BELO CORP.  
400 South Record Street  
Dallas, Texas 75202

\_\_\_\_\_  
/s/

Richard E. Wiley  
James R. Bayes  
Martha E. Heller  
WILEY REIN LLP  
1776 K Street NW  
Washington, DC 20006  
202.719.7000  
*Attorneys for Belo Corp.*

October 22, 2007