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**SUNSHINE PERIOD**

December 11, 2007

Chairman Kevin J. Martin  
Federal Communications Commission  
236 Massachusetts Ave, N.E.  
Suite 110  
Washington, D.C. 20553

Re: **MB Docket No 06-121**

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JAN 11 2008  
Federal Communications Commission  
Office of the Secretary

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Federal Communications Commission  
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Dear Chairman Martin:

This letter is written on behalf of Spanish Broadcasting System, Inc. ("SBS"), in response to the News Release of November 13, 2007, which invited comments on your proposals regarding the revision to the newspaper/broadcast cross-ownership rule. SBS is the largest Hispanic-controlled radio broadcasting company in the United States. SBS and its affiliates currently own and/or operate twenty stations in six of the top-10 Hispanic markets including New York, Los Angeles, Miami, Chicago, San Francisco and Puerto Rico. It also owns a full-service television station and a Class-A television station in the Miami, Florida, television market. SBS believes that its position in various large broadcast markets makes it an appropriate party to submit comments in this important matter.

If the Commission adopts a policy whereby newspaper/broadcast cross-ownership in the twenty largest Nielsen DMA markets is accepted as the norm, the prospect of media consolidation will be unduly accelerated. Ultimately, under the Chairman's proposed guidelines, the relaxation of the rule will allow stations to merge with newspapers in virtually any market in the country. This is true because the standard for waivers of the rule in markets other than the top twenty markets are likely to be easily met by parties proposing such combinations.

SBS is particularly concerned with a revision to the newspaper/broadcast cross-ownership rule in Puerto Rico.

Puerto Rico does not have a DMA because Nielsen does not measure TV there. However, Arbitron considers Puerto Rico to be a single market (market ranking 13; Arbitron Fall 2007). Despite that ranking, which the Commission presently uses to determine ownership of local radio stations, SBS and others have presented significant data over the years to show that Puerto Rico has a unique combination of mountainous terrain and spectrum scarcity that reduces programming alternatives available to the island's residents due to grossly inferior broadcast

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signal coverage. In addition to the noted terrain problems, Puerto Rico suffers from a very poor economic base, so any station hoping to provide quality programming which fails to serve a substantial portion of the market may, itself, face severe viability questions.

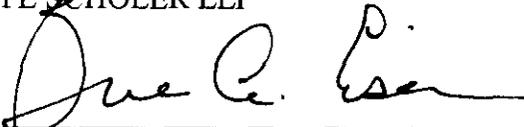
Given Puerto Rico's high ranking by Arbitron, it can reasonably be expected that the Chairman's proposal will allow an applicant for a cross-ownership combination in Puerto Rico to smoothly address the factors that are used to evaluate whether a particular transaction might be in the public interest; i.e:

1. The level of concentration in the DMA;
2. A showing that the combined entity will increase the amount of local news in the market;
3. A commitment that both the newspaper and the broadcast outlet will continue to exercise its own independent news judgment; and
4. The financial condition of the newspaper, and if the newspaper is in financial distress, the owner's commitment to invest significantly in newsroom operations.

These elements for waiver of the rule do not appear to be very difficult to overcome. Indeed, an applicant does not even have to address all of them in order to prevail. The San Juan Star is the only daily publication that provides information to island residents of Puerto Rico. The Chairman's proposal would allow this powerful media source to extend its influence over the island by allowing it to acquire a broadcast facility. SBS does not believe that such a combination would be in the public interest. It opposes a relaxation of the rule, at least in Puerto Rico, where the Commission has previously treated the island as a single market, and with a relaxation of its rule could allow a daily newspaper to acquire any broadcast facility licensed to the Commonwealth.

Respectfully submitted,

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