

June 3, 2010

Marlene Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554



RE: Notice of Oral *Ex Parte* Communication
Docket Nos. 00-244, 01-235, 01-317, 02-277 and 06-121

Dear Ms. Dortch:

This notice is submitted in compliance with Section 1.1206(b) of the Commission's Rules.

On June 2, 2010, Andrew Jay Schwartzman of Media Access Project spoke by telephone with Bruce Gottlieb, Chief Counsel and Senior Legal Advisor to the Chairman, Sherrese Smith, Legal Advisor to the Chairman, General Counsel Austin Schlick, Associate General Counsel Jacob Lewis and Media Bureau Chief William Lake.

Mr. Schwartzman discussed the above-captioned dockets. He urged prompt and positive action on the pending reconsideration petition filed by Common Cause, *et al.*, and asked that the Commission revisit its treatment of the TV duopoly rule.

With respect to the newspaper/broadcast cross-ownership rule, Mr. Schwartzman argued that the brief filed by the so-called Citizen Petitioners in the *Prometheus Radio Project* case exposed vulnerabilities in the Commission's use of the so-called "4 Factor" and "7 hour news" tests. He asked that grant of the reconsideration petition would strengthen the Commission's position in court.

As to the TV duopoly rule, Mr. Schwartzman argued that the Commission would benefit if the it revisited its treatment of that provision. He also said that clarification of the rule should include consideration of the impact of the digital television conversion upon the TV duopoly rule.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Jay Schwartzman".

Andrew Jay Schwartzman

cc. Bruce Gottlieb
Sherrese Smith
Austin Schlick
Jacob Lewis
William Lake