

Minority Media and Telecommunications Council

3636 16th Street N.W., Suite B-366
Washington, D.C. 20010
Phone: 202-332-0500 Fax: 202-332-0503
www.mmtconline.org

June 8, 2010

Marlene Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

RE: Notice of *Ex Parte* Communication, WT Docket No. 05-211 (Implementation of the Commercial Spectrum Enhancement Act and Modernization of the Commission's Competitive Bidding Rules and Procedures), MB Docket No. 07-294 (Promoting Diversification of Ownership in the Broadcasting Services), MB Docket No. 87-268 (Advanced Television Systems and their Impact Upon the Existing Television Broadcast Service), RM-11565 (Radio Rescue Petition), MB Docket No. 04-233 (Broadcast Localism), EB Docket No. 04-296 (Emergency Alert System), EB Docket No. 06-119 (Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks), GN Docket No. 09-191 (Preserving the Open Internet), and WC Docket No. 07-52 (Broadband Industry Practices).

Dear Ms. Dortch:

This reports on a meeting held June 8, 2010 with Edward P. Lazarus, Chief of Staff. Representing MMTTC at this meeting were Jacqueline Clary, Fellow, Whitney Marshall, Law Clerk, and myself.

Attached please find a document, "MMTC Legislative Priorities," that was distributed and discussed at the meeting.

I made this point regarding wireless auctions:

- If the Communications Act is rewritten, Congress should correct the wireless auction provision (47 U.S.C. 309(j)) to set aside the Commission's 2006 rule changes restricting wholesale leasing and imposing a 10-year holding period.

I made this point regarding the foreign ownership statute:

- Congress should clarify, or the Commission should interpret 47 U.S.C. 310(b)(4) to mandate a relaxed application of the statute that would allow broadcasters to seek foreign financing and facilitate ownership reciprocity with other countries.

Marlene Dortch, Esq.

June 9, 2010

Page 2.

I made these points regarding AM migration to analog TV channels 5 and 6:

- Most or all AM stations should be moved to TV channels 5 and 6 and then turned into FM stations, thus allowing stations remaining on the AM band to reach wider audiences while potentially tripling the value of the migrating stations. Two thirds of minority owned radio stations are AM stations.
- Since this proposal has met some resistance from TV broadcasters on Channel 6, the Commission should create an advisory committee to work through the issue with all stakeholders.
- If necessary, Congress should intervene to ensure this matter is resolved.

I made this point regarding localism:

- Congress should consider whether the Commission's interpretation of Section 307(b) inhibits minority ownership, since some localism rules conflict with diversity objectives. MMTC and others have developed this point in comments in the localism docket.

I made these points regarding the emergency alert system:

- If a broadcast license in the public interest means anything, it means that people must be notified and given life-saving information during emergencies regardless of the languages they speak.
- We need Congressional intervention to mandate a multilingual EAS program because past pilot programs and Commission attempts to persuade broadcasters to comply with multilingual notices have failed. Now, five years after Hurricane Katrina, we are still failing to serve citizens at risk during emergencies.

I made this point regarding net neutrality legislation:

- Any net neutrality bill presented before Congress should contain a Section 257 provision to ensure protection of minority entrepreneurs and consumers.

Respectfully submitted,

David Honig

David Honig
President and Executive Director

Attachment