

Minority Media and Telecommunications Council

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September 14, 2010

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Ms. Dortch:

RE: Notice of Ex Parte Communication: Media Ownership Diversity, MB Docket No. 07-294¹

This reports on a meeting held Monday, September 13, 2010. In attendance were Jacob Lewis, Associate General Counsel, Mark Lloyd, Associate General Counsel and Chief Diversity Officer, William Scher, Associate General Counsel; and Jon Blake, Dan Kahn, Libbie Canter and Jason Davis, Esqs. of Covington & Burling LLP. MMTTC Fellow Joycelyn James and I attended on behalf of MMTTC.

Central to the discussion was a presentation made by Covington in June 2010 to the Commission's Advisory Committee on Diversity for Communications in the Digital Age (Diversity Committee). This presentation related to the impact of Adarand v. Peña on previous proposals developed by the Diversity Committee in October 2008. The attendees discussed the Commission's current eligible entities definition and new methods, not previously considered by the agency, that could be used to increase participation by diverse, well qualified applicants.

Mr. Blake and I reviewed the highlights of this new proposal to create a licensing model that would result in an eligible entities paradigm that would relate to an applicant's ability to overcome disadvantages. It would also further the Commission's goals of promoting competition, diversity and administrative efficiency.

The attendees discussed plans to present the proposal to the Diversity Committee later in the year. The attendees also suggested that the Diversity Committee and additional Commission staff be included in further discussions related to the proposal.

Sincerely,



David Honig
President and Executive Director

¹ During the course of a discussion of the matter before the Diversity Committee, reference was made to the pending docket. Therefore this letter is being filed out of an abundance of caution.