

Minority Media and Telecommunications Council

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November 14, 2011

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

RE: Notice of *Ex Parte* Communication, MB Docket No. 09-182 (2010 Quadrennial Review), MB Docket No. 07-294 (Diversity Proceeding), and GN Docket No. 10-244 (Preference for Overcoming Disadvantage).

Dear Ms. Dortch:

This reports on a phone call on November 14, 2011. The call was among Commissioner Clyburn's staff members, David Grimaldi, Chief of Staff and Louis Peraertz, Legal Advisor, and myself.

I urged the Commission to respond to judicial remands in three civil rights cases¹ by seeking comment in the upcoming Omnibus Media Ownership FNPRM and ultimately adopting the long-pending Incubator Proposal and the Diversity Committee's Recommendation on a Preference for Overcoming Disadvantages.²

Respectfully submitted,

David Honig

David Honig
President and Executive Director

¹ See Prometheus Radio Proj. v. FCC, 373 F.3d 372 (3rd Cir. 2004); Prometheus Radio Project v. FCC, 652 F.3d 431 (3rd Cir. 2011); Council Tree Comm. v. FCC, 619 F.3d 235 (3rd Cir. 2010).

² See MMTC Ex Parte Letter re: MB Docket No. 07-294 *et al.* (Sept. 28, 2011) (describing the proposal), available at <http://fjallfoss.fcc.gov/ecfs/document/view?id=7021711655> (last visited Nov. 14, 2011); Advisory Committee on Diversity for Communications in the Digital Age, Recommendation on Preference for Overcoming Disadvantage (October 14, 2010), available at <http://transition.fcc.gov/DiversityFAC/recommendations.html> (last visited November 14, 2011). See also Comments of the Minority Media and Telecommunications Council, Recommendation of the Advisory Committee on Diversity for Communications in the Digital Age for a New Auction Preference for Overcoming Disadvantage, GN Docket No. 10-244 (February 7, 2011), available at <http://mmtconline.org/lp-pdf/MMTC%20ODP%20Comments%20020711.pdf> (last visited November 14, 2011).