

February 8, 2012

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

RE: Notice of *Ex Parte* Communication
MB Docket Nos. 00-168 and 00-44

Dear Ms. Dortch:

On Monday, February 6, 2012, Maureen O'Connell of News Corporation, Jane Mago of the National Association of Broadcasters, Margaret Tobey of NBCUniversal, and Susan Fox of The Walt Disney Company met with Erin McGrath of Commissioner McDowell's office to discuss the above-referenced proceeding. In particular, we made clear that while we support putting most of the current public file online, placing the entire political file online raises unique problems that require different treatment. We expressed the following concerns about the political file:

- We noted that the FCC's prior decision to not include the political file in the online public file requirement was correct, and the FCC does not have any possible justification for changing its conclusion. The reasoning for that prior decision was, in significant part, because of the significant burden associated with the political file in particular. There is no factual basis for reversing that decision.
- We noted the potential anticompetitive effect of making individual advertising rates information available online where competitors in the market and commercial advertisers may anonymously glean highly sensitive pricing data, which, by law, will represent the lowest rates charged by the station to its most favored commercial advertisers. We noted the potential this has for distortion in the market for commercial advertising, to the ultimate detriment of local television stations and their viewers.
- We noted the inequity of requiring TV broadcasters to make this information available while not requiring the same of our competitors for political advertising dollars.

- Finally, we pointed to the suggestion in our comments that we can continue to make “dates and dollars” information available over the phone to political time buyers, and are open to discussing other options for meeting legitimate government interests without creating anti-competitive consequences.

We also discussed two new items the FCC proposes to include in the public file, as follows:

- We expressed concern about including in the public file a detailed list of the sponsorship identification information that is already included in the end credits after each of our shows where necessary. We argued that this requirement would be duplicative, and therefore unnecessarily burdensome. We asked what the demonstrated need was to include this information online.
- We also urged the FCC to wait to decide whether Shared Services Agreements and Local News Sharing Agreements be included in the public file until AFTER it has resolved the issue of whether these relationships are attributable for purposes of the ownership rules.

This letter is being submitted electronically in the above-referenced docket, which has been granted permit-but-disclose status, pursuant to Section 1.1206(b) of the Commission’s Rules. Should you have any questions concerning this submission, kindly contact the undersigned.

Respectfully submitted,

/s/

Maureen A. O’Connell
Senior Vice President, Government Relations
News Corporation

cc: Erin McGrath