



April 12, 2012

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

Re: Notice of *Ex Parte* Communication  
MM Docket Nos. 00-168 and 00-44

Dear Ms. Dortch:

On April 10, 2012, Gordon Smith, Christopher Ornelas and the undersigned of the National Association of Broadcasters (NAB) met with Commissioner Robert McDowell and Erin McGrath and separately with Commissioner Mignon Clyburn and David Grimaldi to discuss NAB's position regarding on-line public files. In both meetings, the NAB parties argued that the Commission should not reverse its 2007 decision to exempt broadcast political files from any requirement to place the larger public files of broadcast television stations in an on-line database to be housed at the FCC. We emphasized that the potential harm to television broadcasters of placing specific rate information, including the lowest unit rate information that stations must, by law, afford to political candidates, in an anonymously accessible database was real and could place broadcasters at a significant competitive disadvantage versus other video providers that would not have a similar requirement.

NAB emphasized that the statutory requirements for political files require only that the information be available at the station and that the statute contemplates that the Federal Elections Commission should be the on-line locus for election information. NAB pointed out that requiring broadcaster political files to be placed on-line at the FCC would necessarily have implications for federal elections.

Finally, recognizing press reports that the proposal currently under consideration would, for at least two years, limit the requirement to place political files on-line to network-affiliated stations in the top 50 markets, NAB suggested that instead of imposing a requirement to place the full political file on-line, the Commission could work with those stations in the kind of pilot project that NAB had previously suggested. Such an approach would allow the Commission, broadcasters and interested parties to develop a simple practical way to make non-sensitive

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information available in a central database while retaining commercially sensitive information at the station.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jane E. Mago". The signature is fluid and cursive, with the first name "Jane" being the most prominent.

Jane E. Mago  
Executive Vice President & General Counsel  
National Association of Broadcasters

cc: Commissioner Robert McDowell  
Commissioner Mignon Clyburn  
Erin McGrath  
David Grimaldi