Court Rejects FCC's Cross-Ownership Rules Agency to further review media ownership limits

Last July a federal appellate court turned back the FCC's effort to relax its limits on ownership of newspapers and TV stations in the same market, ruling that the agency failed to give adequate notice when they made the change in 2007.

The 3rd Circuit Court of Appeals means that the FCC will again have to take up the rules, which supporters argued was necessary to strengthen local news gathering in the face of declining ad revenue.

The new rules lifted the ban on cross ownership in the 20 largest media markets.

Public interest groups had argued that they were not given adequate time to comment on the proposed changes, made under then FCC-chairman Kevin Martin.

"We won on almost every point," said Andrew Jay Schwartzman, senior vice president and policy director of the Media Access Project, which represented Prometheus Radio Project in challenging the changes. "This decision is a vindication of the public's right to have a diverse media environment. The FCC majority knew that its effort to allow more media concentration was politically and legally unworkable, so it tried to end-run the procedural protections that are designed to give the public the right to participate in agency proceedings."

The court also said that the FCC also failed to consider the impact of its new rules on minority ownership of media outlets.

Judges Thomas Ambro and Julio Fuentes found fault with the FCC's rule change, while Judge Anthony Scirica dissented.

The FCC is currently undertaking another review of its media ownership rules. In a statement, the agency said that they ''should be able to take appropriate steps to ensure that the nation's media marketplace remains healthy and vibrant."