

MASSACHUSETTS
40 main st, suite 301
florence, ma 01062
tel 413.585.1533
fax 413.585.8904

WASHINGTON
1025 connecticut ave. nw, suite 1110
washington, dc 20036
tel 202.265.1490
fax 202.265.1489



December 14, 2012

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Via Electronic Filing

Re: MB Docket No. 09-182, 2010 Quadrennial Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996; MB Docket No. 07-294, Promoting Diversification of Ownership in the Broadcasting Services

Dear Ms. Dortch:

On December 12, 2012, I spoke with Dave Grimaldi, Chief of Staff and Media Legal Advisor to Commissioner Clyburn, regarding matters in the above-captioned dockets.

I reiterated that, before the Commission makes any changes to its cross-ownership rules, it must correctly analyze the impact of such changes on broadcast ownership opportunities for women and people of color. The record in this proceeding shows that relaxation of these rules would lead inexorably to decreases in ownership and viewpoint diversity. Moreover, if the Commission were to relax those rules before conducting and completing such an analysis properly, it would violate the Third Circuit’s directives in the *Prometheus II* decision.

While the Commission can and must fund forward-looking studies to support policies that will promote diversity of ownership in the broadcast bands, simply allocating funds now for such future research cannot possibly satisfy the court’s mandate in this regard.

We file this *ex parte* notice today, pursuant to Section 1.1206(b) of the Commission’s rules. If you have any questions regarding this submission, please do not hesitate to contact me.

Respectfully submitted,

/s/ Matthew F. Wood

Matt Wood
Policy Director
(202) 265-1490
mwood@freepress.net