

**Before the
Federal Communications Commission
Washington, DC 20554**

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

Reply Comments of Schurz Communications, Inc.

Schurz Communications, Inc. (“Schurz”), by counsel, submits these brief Reply Comments addressed to the issues raised by the Commission’s December 3, 2012 Public Notice in these proceedings.¹

Schurz is a small, diversified media company, which operates newspapers, radio and television stations, and cable television systems in small and medium markets. Schurz is a private company, controlled by the Schurz family. Current management is the fifth generation of the family to be involved with the company.

Schurz’ Experience Supports NAB’s Comments

In its comments, the National Association of Broadcasters (“NAB”)² pointed to the growing number of women and minorities who hold positional interests in broadcast stations, even if they do not hold an attributable ownership interest in the companies to which those

¹ Public Notice, *Commission Seeks Comment on Broadcast Ownership Report*, MB Docket Nos. 09-182, 07-294, DA No. 12-1946 (rel. Dec. 3, 2012).

² Comments of the National Association of Broadcasters, MB Docket Nos. 09-182, 07-294 (filed Dec. 20, 2012).

stations are licensed. As NAB pointed out, these individuals “are senior executives with significant influence on a licensee’s decisions about hiring of personnel, selection of programming, and management of the finances of broadcast stations.”³ In terms of ensuring diversity in the media that is available to the public, the Commission should not limit its focus to direct ownership.

The Schurz stations demonstrate the validity of NAB’s observations. Schurz’ Senior Vice President in charge of all of its electronic communications is female.⁴ Women are the general managers of the Schurz radio groups in Rapid City, South Dakota and South Bend, Indiana. Schurz’ television groups in Wichita, Kansas and South Bend are headed by women. Females run the sales operations for the Schurz stations in Anchorage, Alaska, Springfield, Missouri, and Roanoke, Virginia. Further, two news directors at Schurz stations are females. In all of these markets, female executives have day-to-day operational control over the operation of the Schurz stations and the content broadcast on those stations.

Schurz believes that, in evaluating the impact of its ownership rules on diversity in media, the Commission must not limit its focus to station ownership, and instead must recognize the growing role of women and minorities in station management where they may have far more influence on programming decisions than would someone with an attributable ownership interest but little day-to-day involvement in station operations.⁵ The Commission should, therefore, continue to track the numbers of women and minority positional interest holders.

³ *Id.* at 5.

⁴ The executive who heads up Schurz’ print operations is an African-American male.

⁵ The key role played by persons with positional and other management interests in stations is true regardless of whether a station group does or does not have attributable voting interests.

Further, by focusing on diversity in operation of radio and television stations, rather than simply ownership, the Commission can avoid adopting regulations that restrict investment and efficiency in local broadcasting stations solely in order to make entry into local markets less expensive. That approach will do little for minority entrants who will also suffer from restrictions that make it hard to compete in local markets, and harm the public by, as shown below, restricting efficient broadcast operations and stations' ability to create innovative local services.

The Commission Should Not Disturb Station Agreements That Improve Service to Minorities

In a recent *ex parte* notice, Schurz argued that the Commission should not make television joint sales agreements (“JSAs”) attributable, at least without also changing its local television ownership rules as they apply to stations in small and medium markets.⁶ In particular, Schurz pointed to a JSA and shared services agreement between Schurz’s KWCH-DT and Entravision’s KDCU-TV in Wichita, Kansas. This relationship not only enabled KDCU-TV, a Univision affiliate, to go on the air earlier, it also made possible employment of Hispanic reporters and anchors and enabled KDCU-TV to provide a daily local newscast in Spanish, the only Spanish-language local news available in Kansas.⁷

Schurz now submits comments from viewers showing the important public benefits that they receive from KDCU-TV’s local programming.⁸ In response to a question posted on KDCU-TV’s Facebook™ page about the station’s Spanish-language newscast, one viewer

⁶ Letter from Jack N. Goodman to Marlene H. Dortch, MB Docket No. 09-182 (filed Dec. 19, 2012).

⁷ *Id.* at 2.

⁸ Copies of the letter and Facebook™ postings referred to are attached. The Facebook™ postings are in Spanish; English translations will be used in the text of these reply comments.

responded: “When there is bad weather and [I] do not know English, you explain it to the community in our language and clearly . . . that makes [me] feel safe.” Adriana Figueroa stated, “I think it is very important to the Hispanic community have people like your news and delivered to the community!” Isabel Mapula commented that the Spanish-language news “[i]s very important because through the news we hear of things happening in our community.” Esmeralda Martinez stated that “the newscast us towards [is] badly needed.” Other comments were similar.

KDCU-TV also provides a weekly legal information program, *Lawyer on the Line*, dubbed in Spanish where attorneys answer legal questions from the community. A letter from the law firm providing the service lauds the way the station “has worked with us this past year.”

Based on discussions with Entravision, if KDCU-TV were required to develop and maintain a separate sales operation, the resulting loss of benefits to Schurz’ Kansas station and the resulting increased costs to KDCU-TV would make it impossible to continue providing the same level of public service that is now provided, and in particular, it is unlikely that it would be feasible to continue producing a daily Spanish-language local newscast. The Commission should not, therefore, make any assumptions that changes in how it attributes JSAs will not adversely affect service to the public. As Schurz has advocated, the Commission should change its local television ownership rules, particularly as they apply in small and medium markets.⁹

⁹ See Comments of Coalition of Smaller Market Television Stations, MB Docket No. 09-182 (filed July 12, 2010); Reply Comments of Coalition of Smaller Market Television Stations, MB Docket No. 09-182 (filed April 17, 2012).

Until it does so, it should not make changes that adversely affect the ability of broadcasters in those markets to serve the public.

Respectfully submitted,

/s/ Jack N. Goodman

Jack N. Goodman
Law Offices of Jack N. Goodman
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Suite 800
Washington, D.C. 20036
202-776-2045

January 4, 2013



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Hoy queremos pedir su opinión a esta pregunta: ¿Cual es la mejor parte de tener un noticiero en español a las 10 de la noche?

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Veronica Mora Rivera CUANDO HAY MAL TIEMPO Y NO SABES INGLES...USTEDES LO EXPLICAN A LA COMUNIDAD EN NUESTRO LENGUAJE Y CLARAMENTE...ESO T HACE SENTIR SEGURO See Translation Yesterday at 12:28pm via mobile · Like

Mary Tuny mantenernos informados de lo que esta pasando en el estado y sobre todo las actividades que hay en la ciudad y sus alrededores !! pero si hubiera una edicion a las 6p.m seria muy bueno !!!! See Translation 23 hours ago · Like

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Anne Meyer 4 friends also like this. Like
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Danilynn Welniak 7 friends also like this. Like

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Esta noche no tendremos "Noticias Univision Kansas", debido a un especial de Univision.

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También nos gustaría saber lo siguiente: ¿usted y su familia aprecian el tener un noticiero en español en Kansas? Les agradecemos de antemano su respuesta a estas preguntas.

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Recordando la Feria de Salud Hispana-Latina, Agosto 11, 2012 (5 photos) Marielkis y Marco recibieron la vista de varios televidentes.



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También nos gustaría saber lo siguiente: ¿usted y su familia aprecian el tener un noticiero en español en Kansas? Les agradecemos de antemano su respuesta a estas preguntas.

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Isabel Mapula claro que si señor marco. See Translation Yesterday at 12:04pm via mobile · Like

Isabel Mapula es muy importante por que por medio de el noticiero nos enteramos de los acontecimientos que suceden en nuestra comunidad See Translation Yesterday at 12:06pm via mobile · Like

Jr Marquez Coello si, por su puesta que si... See Translation Yesterday at 12:06pm via mobile · Like

Susi de la Torre claro que nos gustan las toticias de ks See Translation Yesterday at 12:20pm via mobile · Like

Elva L DE LOS Rios Si claro son mas explicitos ke los noticieros en ingles a mi si me gusta tener un noticiero en español en mi ciudad gracias por ke ustedes estan ayi Noticias Univision Kansas gracias ml. See Translation Yesterday at 12:21pm via mobile · Like

Adriana Figueroa Pienso que es muy importante para la comunidad de habla hispana contar con noticieros y personas como ustedes entregadas a la comunidad,,! Gracias a todos ustedes excelente año See Translation Yesterday at 12:46pm via mobile · Like

Roberto Martinez Si es vueno tenerlos See Translation Yesterday at 12:55pm via mobile · Like

Lalo Saenz 100%. See Translation Yesterday at 1:08pm via mobile · Like

Mary Tuny Muy bueno y gracias a ustedes por tan buen Trabajo!! See Translation Yesterday at 1:18pm via mobile · Like

Francisca Encinas Miranda Claro ke sí See Translation Yesterday at 1:29pm via mobile · Like

Rocio Velasco Me encanta el noticiero 😊 See Translation 22 hours ago via mobile · Like

Miguel Angel Magallanes Claro que nos gusta tener un noticiero en español,,pero deberia durar una hora para que se dieran las noticias mas detaladas,,

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También nos gustaría saber lo siguiente: ¿usted y su familia aprecian el tener un noticiero en español en Kansas? Les agradecemos de antemano su respuesta a estas preguntas.

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7 people like this.



Write a comment...



KDCU Univisión Kansas

Yesterday

Como medio de comunicación la opinión de nuestros televidentes es muy importante. Queremos saber que te parece el único noticiero local en español. ¿Que es lo que a ti y a tu familia les gusta de Noticias Univision Kansas?

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12 people like this.

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Salvador Saludes todo por que gracias a ustedes podemos saber q ocurre en nuestra comunidad gracias por su trabajo

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KDCU Univisión Kansas ¡Gracias a todos y sigan viendo Univision Kansas!

21 hours ago · Like



KDCU Univisión Kansas shared Marco Alcocer's status.

Yesterday

Favor de darnos su opinión en la pregunta de Marco Alcocer

Hoy queremos pedir su opinión a esta pregunta: ¿Cual es la mejor parte de tener un noticiero en español a las 10 de la noche?

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Valentin Ortega Las noticiad, locales y las de mexico

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Valentin Ortega De, inmigrasiob bueno casi todos son importantes

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2012

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Como medio de comunicación la opinión de nuestros televidentes es muy importante. Queremos saber que te parece el único noticiero local en español. ¿Que es lo que a ti y a tu familia les gusta de Noticias Univision Kansas?

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12 people like this.



Ruth de la Cerda Primero gracias!!!! X mantenernos informados!!!!. Y pues yo pienso que x ser el único noticiero en español en nuestra localidad no nesitamos de mas este noticiero esta competo no le falta nada felicidades espero siempre nos mantengan informados gracias a todos los que lo hacen posible

See Translation Yesterday at 11:33am via mobile Like



Carpicorn Ochoa Todo esta muy bien,Marco alcocer me cae bien no es nada personal,ni mucho menos,Pero deberia quedar de conductora oficial Marielks,sorry si soy tan directa pero son muchas las razones por la que ela estaria mejor dando las noticias.Pero aun asi no me pierdo el noticiero cuando no lo puedo ver en el momento,lo grabo y lo miro mas tardecto.

See Translation Yesterday at 11:44am Like



Esmeralda Martinez todo esta muy padre, solo un poco mas de informacion kn respecto al clima los conductores todos estan muy preparados para dar las noticias aye vi en el clima una nueva cara y paso la prueba da muy bien el clima y no se trabo para nada salo muy bien gracias x el noticiero nos hacia mucha falta

See Translation Yesterday at 11:54am Like



KDCU Univisión Kansas Muchas gracias por sus opiniones. Con más de 500 "likes" en el Facebook de Univision Kansas todavía falta saber lo que usted piensa.

See Translation Yesterday at 12:17pm Like



Carpicorn Ochoa Muy oerst Esmeralda,lo del meteorologo...

See Translation Yesterday at 12:17pm Like



Raul Uribe lo d la temperatura

See Translation Yesterday at 12:36pm Like



Leonel Torres Esta muy bn el programa no le falta nada

See Translation Yesterday at 12:45pm via mobile Like



Felipe M Hernandez muchas grasias por dar las noticias en es panol y sigan manteniéndonos. infomados en noticias de mexico y de mas países hermanos

See Translation Yesterday at 12:47pm via mobile Like



Salvador Saludes todo por que grasias a ustedes podemos saber q ocurre en nuestra comunidad grasias por su trabajo

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KDCU Univisión Kansas ¡Gracias a todos y sigan viendo Univision Kansas!

See Translation 21 hours ago Like



Valentin Ortega Las noticiad, locales y las de mexico

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January 2, 2013

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2815 E. 37th Street North
Wichita, KS 67219

To Whom It May Concern:

I just wanted to express my gratitude for the impressive way that Univision has worked with us this past year in our new project; "Lawyer on the Line" in Spanish for the Hispanic community. We have had a couple of hiccups along the way, but the response time of correcting, or making up for any issues has been exemplary. We are excited to continue our growing relationship with Univision in the New Year.

Sincerely,

Vicki L. Smith
Marketing Administrator/Office Coordinator

:vls

GROW WITH US...REFER A FRIEND