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January 16, 2013

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VIA ELECTRONIC FILING

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

RE: 2010 Quadrennial Regulatory Review, MB Docket 09-182
NOTICE OF EX PARTE COMMUNICATIONS

Dear Ms. Dortch:

On January 15, 2013, Nancie J. Smith, Chairman of the Board and majority shareholder of Mission Broadcasting, Inc. (“Mission”); Dennis Thatcher, President and Treasurer of Mission; Perry Sook, Chairman of the Board, President and CEO of Nexstar Broadcasting, Inc. (“Nexstar”); Elizabeth Ryder, Vice President & General Counsel of Nexstar; and Richard E. Wiley and Richard Bodorff of Wiley Rein LLP, met separately with the following to discuss issues of concern in the above-referenced proceeding: (1) Elizabeth Biley Andrion, Acting Chief Counsel and Senior Legal Advisor to Chairman Genachowski; (2) Commissioner Jessica Rosenworcel and her Senior Legal Advisor David Goldman; (3) Matthew Berry, Chief of Staff to Commissioner Ajit Pai, and Ben Tarbell, Law Clerk; (4) Commissioner Robert McDowell and his Legal Advisor, Erin McGrath; (5) Commissioner Mignon Clyburn and her Legal Advisor and Chief of Staff David Grimaldi; and (6) William Lake, Chief; Sarah Whitesell, Deputy Chief; Hillary DeNigro, Deputy Chief; and Benjamin Arden and Brendan Holland of the Media Bureau.

During these meetings, the Mission and Nexstar representatives advocated for the retention of the Commission’s current policy with regard to attribution of television joint sales agreements (JSAs). Specifically, the representatives stated that the Commission should not reverse a long line of precedent and treat television JSAs as attributable ownership interests under the Commission’s local television ownership rules.

The Mission and Nexstar representatives described how changing the JSA attribution rule would be detrimental to the public interest, particularly in small and medium-sized markets. In markets like Monroe, Louisiana (DMA # 137), Joplin,



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Missouri (DMA #149), and Lubbock, Texas (DMA #143), where Mission and Nexstar stations have entered into JSA relationships, the public enjoys improved access to life saving technology such as Doppler radar, more local news and sports programming, increased investment in local news, expanded political coverage, additional public affairs programming, and increased sponsorship and support of local charity and community events.

In addition, the Mission and Nexstar representatives stressed that the record before the Commission is replete with evidence that attributing JSAs or otherwise tightening the media ownership rules is unnecessary to address any legitimate viewpoint or ownership diversity concerns. Representatives from Mission, which is one of the largest female-owned broadcast companies in the country, specifically addressed the role JSAs have played in the success of their company.

As required by Section 1.1206, the following are attached hereto: a document detailing the benefits of JSAs, and a list of fifteen markets where sharing arrangements (or ownership of a second station) have resulted in the initiation of news programming on a station that previously did not air local news, which were provided to the FCC representatives during each meeting.

Respectfully submitted,

/s/

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Cc (via email):

Commissioner Jessica Rosenworcel
Commissioner Robert McDowell
Commissioner Mignon Clyburn
William T. Lake
Elizabeth Biley Andrion
Benjamin Arden
Matthew Berry
Hillary DeNigro
David Goldman



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Dave Grimaldi
Brendan Holland
Erin McGrath
Ben Taubell
Sarah E. Whitesell

ADDITIONAL BENEFITS OF NEXSTAR JSAs

In addition to fostering operating efficiencies and economies of scale, JSAs (including those between the stations identified below) have led to numerous public interest benefits in markets across the country. These benefits stem from increased technological, capital, and personnel resources, as well as local news and other enhanced service to the local community. Following are examples of some public interest benefits as a result of the efficiencies generated from the JSAs that Nexstar is party to. Further information on the benefits as a result of the JSAs can be found in Nexstar's comments submitted in this proceeding.

Abilene, Texas: KTAB-TV and KRBC-TV (DMA #164)

- More local news programming
 - Not all news stories require coverage by multiple reporters. In these instances, KTAB-TV and KRBC-TV can send one reporter to cover a news event for both stations, thereby freeing other reporters to cover other stories and, thus, increasing the amount and variety of news available to the community.
 - Without the increased capital resources of KTAB-TV, KRBC-TV likely would not have been able to continue providing local news programming. The JSA not only allows KRBC-TV to provide 16.5 hours of local news programming, but also helped the station to outperform the market in many key areas in 2012 including significant revenue growth.
 - Since the initiation of the JSA in 2003, Nexstar has invested nearly \$3 million in news programming and facilities improvements. This level of investment would not be possible with the JSA.
- Increased sponsorship and support of local charity and community events and organizations
 - In 2012, the stations partnered with or sponsored more than 25 different community events for organizations such as The United Way (helping to raise more \$1.5 million), Disabilities Resource Center (helping to raise more than \$30,000 with the Outlaws and Legends concert), Hendricks Home for Children (collecting toys for underprivileged children as it has done for the last 10 years), the Ben Richie's Boys Ranch (helping to raise more than \$50,000 with their annual telethon), and the West Texas Rehab Center (helping to raise more than \$1 million with their annual telethon).
- Sponsor a greater number of public awareness campaigns that reach more of the community due to their coverage on both stations.
 - In 2012, the stations launched the "No Text Big Country," "Child Lures Prevention," and "Don't Drink and Drive" campaigns as well as a Hometown Heroes recognition program. "No Text Big Country," is a community awareness

campaign to educate about and prevent texting and driving. Both stations run public service announcements (“PSAs”) and news stories on this issue. The “Child Lures Prevention” campaign was a 10 day news series focused on the prevention of child abduction. Both stations ran the series and printed a parent’s guide to help educate parents on the lures that predators use on children. The “Don’t Drink and Drive” campaigns include multiple public service projects that are focused on saving lives. Project Graduation, Project Roadblock, Live to Graduate all try to educate the public on the dangers of drinking and driving. The Hometown Heroes recognition program is a weekly news segment focused on recognizing the men and women who risk their lives for us every day. Military, Police, Firefighters and EMS personnel are recruited through an on air PSA schedule and then featured in news stories.

Amarillo, Texas: KAMR-TV and KCIT (DMA #130)

- Increased sponsorship and support of local charity and community events and organizations
 - The stations helped to raise \$25,000 more in 2012 than had been raised in past years for the Susan G. Koman Race for the Cure. And, due to KAMR-TV’s and KCIT’s over-the-air and online community outreach efforts, the local race had the largest number of participants in its history.
- More local sports programming
 - The JSA allows viewers access to more than 30 minutes of seasonal high school sports per week, and the stations are the only ones in the market to air West Texas A&M college football games.

Evansville, Indiana: WEHT and WTVW (DMA #104)

- Increased sponsorship and support of local charity and community events and organizations
 - WTVW and WEHT promoted the Easter Seals Rehabilitation Center’s fund raising drive. A telethon hosted by the stations helped Easter Seals raise over \$1 million locally for the Center.
 - Working with Old National Bank to promote “101 Men Who Cook,” a community event featuring local chefs, the stations helped raise \$104,000 for a local charity.
 - The stations partnered with student-run AcesTV and the University of Evansville to create Inside AcesTV. Each week, student-produced features air on WTVW and WEHT newscasts. The features are also posted online on TriStateHomepage.com.

- After Hurricane Sandy, the stations worked with the Evansville Red Cross to coordinate a 13-hour mediathon with the Evansville Courier and Press. The mediathon kicked-off with a telethon hosted by WTVW. The stations' fundraising efforts resulted in nearly \$100,000 raised for the Red Cross.
- More public affairs programming
 - Since entering into a JSA with WEHT, WTVW has increased the amount of public affairs television that it provides to viewers. "Local 7 Lifestyle" is a daily, locally produced, hour-long community program. A portion of each day's live telecast features guests from community organizations seeking to raise awareness about their cause.
 - Production teams from both stations work together to produce the weekly "Academic Challenge" program, a quiz bowl in which local high school students compete. The production teams also produce "My Hometown," a weekly 30 minute special featuring neighborhoods and towns throughout the viewing area. Both of these programs are broadcast on WTVW.
 - Under the JSA, WTVW now has access to the WEHT ENG and satellite truck equipment allowing for expanded live local sporting events and other live local news coverage.
- News investment
 - In the one year since initiating this JSA, Nexstar has spent more than \$700,000 for news expansion upgrades, including implementing HD news on WTVW.

Joplin, Missouri-Pittsburg, Kansas: KSNF and KODE-TV (DMA #149)

- More local news programming
 - Since entering into the JSA, KSNF has substantially increased its news offerings, adding a 4:00 p.m. news and lifestyle show, an hour long 6:00 p.m. weekday newscast (the market's only hour-long 6:00 p.m. newscast), and a 6:00 p.m. newscast on Saturdays.
 - Since initiation of the JSA in September 2002, Nexstar has spent nearly \$3.5 million renovating the stations' news studios, preparing to initiate HD news broadcasts on both stations (which launched January 1, 2013), and upgrading the Doppler radar system that was a key to saving lives on May 22, 2011 when the EF-5 tornado tore through Joplin.
- More local sports programming
 - Expanded coverage of high school football games, including games in outlying communities that would otherwise receive little if any coverage.

Lubbock, Texas: KLBK-TV and KAMC (DMA #143)

- Access to lifesaving information and technology
 - On April 29, 2012, a massive storm containing large hail and producing the possibility of a tornado took aim at Lubbock. Using live Doppler radar available to the stations as a result of their JSA, KLBK-TV and KAMC tracked the storm in real time and alerted viewers to the possibility of dangerous weather. At its height, the storm produced hail over 4 inches in diameter and winds in excess of 80 miles per hour. The storm caused an estimated \$30 million worth of damage to the area. The early warning provided by the stations doubtlessly saved many lives.

Monroe, Louisiana-El Dorado, Arkansas: KARD and KTVE (DMA #137)

- Access to lifesaving information and technology
 - The Monroe-El Dorado market is one of only a handful of markets in the nation not served by government-owned NEXRAD weather radar. Without this radar, communities in the market are forced to rely on NEXRAD radar in Little Rock, Shreveport or Jackson. Unfortunately, radar in those communities sweeps too far above the curvature of the earth to provide accurate weather information to the residents of Monroe-El Dorado. Filling this gap is a live Doppler radar shared by KARD and KTVE. As a result of their JSA, viewers of both stations have access to critical weather information that would otherwise not be available.
 - In May 2012, two fast breaking news stories with far-reaching public health consequences affected the market—a chemical plant explosion, and an oil field explosion. Satellite trucks and electronic news gathering vehicles purchased by KARD and available to both KARD and KTVE through their JSA were quickly deployed. Once on the scene, reporters from both stations provided their respective viewers with critical emergency information and on-the-spot coverage.
- Prevention of a station's financial failure
 - Under a former owner, KARD struggled financially for many years and went dark twice, depriving the community of a broadcast voice. Since its sale to Nexstar and JSA with KTVE, however, the station is no longer at risk of failing.
- More local news programming
 - The JSA has allowed KARD to add nearly eight hours of local news programming—an increase of 300% within the past two years alone. The station now airs an hour-long 7:00 a.m. newscast complete with local news, weather, sports, and in-studio interviews. This is the market's only 7:00 a.m. newscast.

- KTVE also has added more than five hours of local new programming, including morning and 12:00 noon news shows. This represents a 52% increase in locally-produced news programming on KTVE since the JSA relationship began.
- Because of the JSA, viewers in El Dorado, Arkansas also have access to the 12:00 pm newscast produced by Nexstar for broadcast on Nexstar's stations in the Little Rock-Pine Bluff, Ft. Smith-Fayetteville-Springdale-Rogers and Shreveport-Texarkana markets covering news for all of Arkansas. The JSA also permits Nexstar to include news from El Dorado in the daily newscasts to inform viewers in other Arkansas markets of such news.
- News Investment
 - Since initiation of the JSA in 2008, Nexstar has spent \$1.2 million in news expansion and equipment upgrades, including ensuring that the Doppler radar remains available to provide crucial severe weather information to the community.

Peoria-Bloomington, Illinois: WMBD-TV and WYZZ (DMA #116)

- Expanded political coverage
 - During the 2012 election, the stations produced long-form interviews with candidates for the market's four U.S. Congressional districts as well as with candidates for state house and senate office. These interviews aired every night during the five weeks leading-up to the election. Using resources from WMBD-TV, WYZZ was also able to provide continuous prime time local coverage of election returns.
- More local news programming
 - Before the JSA, WYZZ did not broadcast local news. WYZZ now airs an hour-long news program Monday through Friday at 9:00 p.m. The JSA has also resulted in an additional 5 hours of news programming on WMBD-TV each week.
- News Investment
 - Since implementation of the JSA in 2001, Nexstar has spent nearly \$1 million for news expansion and equipment upgrades for these stations.

Rochester, New York: WROC-TV and WUHF (DMA #153)

- More local news programming
 - Since entering into a JSA, WROC-TV has added 5 hours of news programming to its schedule while WUHF has doubled the amounts of local news that it airs. Combined, this represents a 33% increase in local news across the two stations.

- Increased sponsorship and support of local charity and community events and organizations
 - Combining the resources, audience reach, and promotional capacities of two stations has allowed WROC-TV and WUHF to better promote the fundraising efforts of numerous local and national charities, including the American Red Cross, Foodlink (a Rochester food bank), the Ronald McDonald House, and the American Heart Association. This fundraising support takes various forms, including the production and broadcast of public service announcements and/or live event coverage, behind-the-scenes staffing, and event emceeing by on-air talent. For example, the stations have helped raise \$85,000 in cash donations and collected 75,000 pounds of food over a two year period for Foodlink of Rochester.
- News Investment
 - Since implementation of the JSA in 2005, Nexstar has spent \$1.5 million for news expansion and facilities upgrades, including studio upgrades necessary for the broadcast of the news in HD.

Rockford, Illinois: WQRF-TV and WTVO (DMA #134)

- More local news programming
 - Due to the expense associated with a news start-up, it would not be economically feasible for WTVO or WQRF-TV to produce stand-alone new programming without the JSA. Over the past 12 months, the JSA has allowed WTVO to expand local news coverage by 10 hours per week.
 - WTVO is also able to produce weekly news interviews with community leaders, citizens, and experts that give voice to issues of particular concern to Rockford's minority population.
- News Investment
 - Since implementation of the JSA in 2005, Nexstar has spent more than \$1.2 million to upgrade the news equipment and studios as well as launch local news on WQRF-TV.
- Increased sponsorship and support of local charity and community events and organizations
 - WQRF-TV and WTVO are now better able to serve their non-profit partners. In 2012, the stations raised a record amount (in excess of \$140,000) of funds for ARC, a local advocacy group for the mentally challenged. The stations also raised more than \$90,000 annually in support of the local homeless shelter. In the difficult economic climate where giving is down and government contributions to many community-based organizations have declined or ceased altogether, the

combined efforts of WQRF-TV and WTVO are making a difference to local non- and not-for-profits by helping them reach their fundraising goals and continue to serve the community.

- More public affairs programming
 - Using resources made available via the JSA, the stations have produced half-hour specials focused on important public health issues such as cancer and heart disease. These programs air quarterly and provide critical information directly to viewers in the safety and comfort of their homes.

San Angelo, Texas: KLST and KSAN-TV (DMA #197)

- More local news programming
 - Prior to its relationship with KLST, KSAN-TV provided the San Angelo market with only 5 hours of news per week, which included a weather forecast pre-produced from another market. Since the inception of the JSA, however, KSAN-TV has expanded its local news and programming by almost 400 hours per year.
 - Since initiation of the JSA in 2004, Nexstar has invested more than \$1.5 million to expand local news on KSAN-TV and improve the stations' news equipment and facilities.
- More public affairs programming
 - The JSA allows KLST and KSAN-TV to team-up to create in-depth, local programming specials. This programming would be difficult, if not impossible, to produce individually. In the past 12 months alone, the stations have produced and broadcast programs such as a live forum on the Affordable Health Care Act at Angelo State University, a telethon for the Children's Miracle Network, a fall festival for special needs children and a special on severe weather.

Springfield, Missouri: KOZL-TV and KOLR (DMA #74)

- More weather programming
 - Weather-related news and information is more readily accessible. The JSA has allowed KOZL-TV and KOLR to create the region's largest staff of meteorologists, available to provide timely emergency weather information to both stations. This is particularly important in an area plagued by seasonal severe weather.
- More local sports programming
 - Under the JSA, the stations are able to broadcast a wider selection of football and basketball games from the SEC conference, as well as the Kansas City Chiefs' entire preseason football schedule.

- Expanded coverage of local high school and college sports is available with two half-hour weekend sports programs currently unavailable from other TV stations.

Terre Haute, Indiana: WTWO and WAWV-TV (DMA #154)

- More local news programming
 - The stations have added two locally produced shows since entering into the JSA. One show is a daily lifestyle and news program that is broadcast at 4:00 p.m. five days a week on WTWO. The other is a 30 minute program focused on business that airs twice each Sunday on WAWV-TV.
- More local sports programming
 - Because of the JSA, WTWO and WAWV-TV are able to produce live local sporting events. Further, the stations have been able to increase the number of Indiana State University football, basketball, and baseball games to which viewers have access.
- Environmental efficiencies
 - WTWO and WAWV-TV share news trucks and other mobile news gathering vehicles. Without the JSA, both stations would be sending cars and trucks to cover the same news stories, thus expending double the amount of gas (a not insignificant amount, given the large coverage areas of the station). The stations are also Win Energy's largest customer. Although they pull a substantial amount of power from the grid, the stations share a transmitter and power supply line, which actually helps save energy and allow Win Energy to provide more reliable power to consumers.

Utica, New York: WFXV and WUTR (DMA #172)

- More local news programming
 - In September 2011, WFXV and WUTR began airing local newscasts, something that neither station had done for 8 years. Today, the stations collectively broadcast 10 hours of news per week, with more planned in 2013.
 - In 2011, Nexstar spent more than \$1.5 million to reintroduce local news on WFXV and WUTR, including necessary facilities upgrades. Moreover, the news on both stations is broadcast in HD (all in one of the smallest markets in the country).
- Increased sponsorship and support of local charity and community events and organizations
 - WFXV and WUTR participate in and cover a greater number of local charity events, including America's Greatest Heart Run and Walk, the Boilermaker 15k

Road Race, and the American Cancer Society's Relay for Life. These events each benefit important local and national causes. The America's Greatest Heart Run and Walk raised just over \$1,250,000 in 2012; the Relay for Life raised just over \$1,000,000 in 2012; and the Boilermaker road race raises approximately \$500,000.

- More public affairs programming
 - The JSA allows the stations to produce and broadcast quality public affairs programming. In 2012, for example, they aired an hour-long special focused on domestic violence. The program received positive feedback from the community.

Wilkes Barre-Scranton, Pennsylvania: WBRE-TV and WYOU (DMA #54)

- Access to lifesaving information and technology
 - State-of-the-art "WSI" storm prediction and tracking computers are available to the stations through their JSA. This technology proved essential in the Spring of 2012 as tornados threatened Northeastern Pennsylvania. Similarly, when Hurricane Sandy approached in October 2012, meteorologists provided both stations with hourly updates describing where the storm was heading and its strength.
- Expanded political coverage
 - Due to the larger staff afforded by the JSA, the stations now provide expanded regional coverage of U.S. and Pennsylvania elections, including the race for the 10th U.S. Congressional district, Pennsylvania senate district 29, and state senate district 23. On election night, WBRE-TV provided live coverage from the various campaigns above, while the overwhelmingly dominant station in the market, WNEP-TV, did not provide live, local coverage, but instead carried regular ABC network programming. Their "local" election coverage consisted of only pre-produced (not live) packages that aired on the WNEP D-2 station.
- More local news programming
 - Today, the JSA between WBRE-TV and WYOU allows WBRE-TV to maintain a 65-person news department that also provides unique news telecasts to WYOU. Absent the JSA, neither station individually could afford such an extensive news department.
 - WYOU did not air local news programming between 2007 and 2012 due to the unprofitability of producing news for the station. On April 2, 2012, WYOU relaunched news in high definition. Now, the station airs 22 hours of local news each week, including exclusive half hour newscasts at 12:00 noon and 7:00 p.m. Monday through Friday.

- WBRE-TV is an NBC affiliate and therefore home to numerous sporting events. These events occasionally preempt local news programming. Rather than leave viewers without news, the JSA allows WYOU to exclusively broadcast news programming usually airing on WBRE-TV.
- All of the news and public affairs programming broadcast on WBRE-TV and WYOU is broadcast in HD.
- More public affairs programming
 - WBRE-TV and WYOU, along with pahomepage.com, sponsored a month-long TV and web campaign designed to educate women throughout Northeast and Central Pennsylvania about breast cancer and the importance of regular self-exams. The month kicked-off with a special 3.5 hour live phone bank that was featured on the evening newscasts of both stations. Women throughout the area were able to call for information about breast health and to speak directly to doctors and cancer specialists.

Wichita Falls, Texas-Lawton, Oklahoma: KFDX-TV and KJTL (DMA #142)

- More local news programming
 - The JSA allows KJTL to air a local 9:00 p.m. newscast each weeknight. This earlier time is convenient for many people who are unable to stay up to watch the 10:00 p.m. evening newscast but who nevertheless want to catch-up on the events of the day before heading to bed. Prior to the JSA, KJTL did not air any news.
 - Nexstar has invested more than \$1 million to upgrade the stations' equipment and facilities in order to broadcast the news on both stations in HD.
- Increased sponsorship and support of local charity and community events and organizations
 - KFDX-TV and KJTL are able to raise awareness for important causes through sponsoring a number of local charity events, including Race for the Cure, coat and fan drives, and the American Cancer Society's Relay for Life. Our fan drive helps over 400 families have a fan through the hot summer months and helps provide over 200 coats for the winter months. The stations' participation in Race for the Cure and Relay for Life helped generate more than \$500,000 for the organizations. The stations' support for Hospice Tree of Lights helped generate more than \$150,000 for end of life care.

Utica, NY
Amarillo, TX
Monroe, LA
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