

Minority Media and Telecommunications Council

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February 20, 2013

Marlene Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

RE: Notice of *Ex Parte* Communication, MB Docket No. 09-182 (2010 Quadrennial Review), MB Docket No. 07-294 (Diversity Proceeding), IB Docket No. 11-133 (Foreign Ownership)

Dear Ms. Dortch:

This reports on four meetings held February 19, 2013 between FCC staff and MMTTC representatives David Honig, President, and Maurita Coley, Vice President and COO. Attendance was as follows:

- Chairman Julius Genachowski; Zachary Katz, Chief of Staff; and Elizabeth Andrion, Acting Chief Counsel and Senior Legal Advisor (Ms. Andrion participated by phone)
- Commissioner Mignon Clyburn; Dave Grimaldi, Chief of Staff and Media Legal Advisor; Louis Peraertz, Wireless, International and Public Safety Legal Advisor; and Brian Indovina, Law Clerk
- Commissioner Robert McDowell
- Alex Hoehn-Saric, Policy Director for Commissioner Jessica Rosenworcel.

In the meetings, we presented the following points regarding issues surrounding the 2010 Quadrennial Ownership Review:

1. **Media Ownership Studies.** MMTTC (at its own expense) will conduct a study to evaluate whether and to what extent there may be an impact of the Commission's cross-ownership rules on minority ownership. We believe this approach will enable the Commission to support a potential decision on cross-ownership with empirical evidence. The study will be peer reviewed and will be led by Dr. Mark Fratrik, VP/Research for BIA Kelsey. The study would comprise carefully structured interviews of incumbent and former principals or executives of minority owned broadcast stations in markets in which cross-ownership waivers are in effect. MMTTC will reach out to a variety of stakeholders for input into the study design and methodology.¹

1 In a telephone call earlier in the day between David Honig and Elizabeth Andrion, Mr. Honig commented on an idea recently referenced by broadcast media policy analyst Harry Jessell to apply an incubator model to television shared service agreements. See Harry Jessell, How to Help Minorities and Save Duopolies, TVNewsCheck (Feb. 15, 2013), available at <http://www.tvnewscheck.com/article/65528/how-to-help-minorities-and-save-duopolies> (last visited Feb. 20, 2013). MMTTC believes that while this is a creative and well-intentioned idea, it would not work in the television market (albeit it would work in radio). Allowing an entity to control programming on three local television stations could pose an insurmountable

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- 2. Foreign Ownership.** In our meeting with Chairman Genachowski and his staff, MMTC expressed its desire for the Commission go forward promptly with a Public Notice that would address whether relaxation of its restrictions on overseas investments in broadcasting (interpreting and applying 47 U.S.C. §310(b)(4)) would serve the public interest by enhancing access to capital for minority broadcasters.

Respectfully submitted,

David Honig

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President

competitive disadvantage and make entry into television virtually impossible for new small and minority entrants.