

Minority Media and Telecommunications Council

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March 18, 2013

Elizabeth Andrion, Esq.
Acting Chief Counsel and Senior Legal Advisor to the Chairman
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

**RE: MB Docket No. 09-182 (2010 Quadrennial Review), MB Docket No. 07-294
(Diversity Proceeding)**

Dear Ms. Andrion:

Attached is a chart listing 37 proposals, among the 47 minority media ownership proposals originally presented by the Diversity and Competition Supporters (DCS) in the 2010 Quadrennial Review proceeding, that could operate effectively without a new eligible entity definition, and even under a small business definition.¹

Sincerely,

David Honig

David Honig
President

cc: Zachary Katz, Esq.

Attachment

¹ See Supplemental Comments of the Diversity and Competition Supporters, MB Docket 09-182, MB Docket 07-294 (April 3, 2012), available at <http://mmtconline.org/wp-content/uploads/2012/04/Supplemental-Media-Ownership-Comments-040312.pdf> (last visited March 15, 2013).

37 Proposals, Among The Diversity and Competition Supporters' Original 47 Proposals, That Could Be Implemented Without A New Eligible Entities Definition

March 18, 2013

| 47 Proposals Included in DCS' Initial Comments (filed March 5, 2012) | | | |
|---|---|----------------------------|---|
| DCS Proposal # | Proposal Description | Previous Proposal # | Endorsed By Others Besides DCS Organizations |
| 2 [separate public notice] | Relax broadcast foreign ownership restrictions | 23 | Tribune Company, NAMB, Bonneville-Scranton |
| 3 [already recommended in Triennial Report] | Reinstate and Expand the Tax Certificate | 72 | Tribune Company, NAB, Media General, Inc., NAMB, Bonneville-Scranton, UCC et al., Morris Communications |
| 4 | Migrate Most AM Service to VHF Channels 5/6 | 47 | Proposed by Broadcast Maximization Committee |
| 5 | Examination of how to promote minority ownership as an integral part of all FCC general media rulemaking proceedings; examine major rulemaking and merger applications to discern the potential impact of the proposed rules or transactions on minority and female ownership; consider ownership impact and viewpoint diversity as part of the qualifications of an applicant, without comparing applicant to other potential applicants, for assignment and transfer applications | 1 | |
| 6 | Designate a Commissioner to oversee access to capital and funding acquisition recommendations | 8 | |
| 7 | Create a media and telecom public engineer position to assist small business and nonprofits with routine engineering matters | 34 | NAB |
| 10 | Extend the cable procurement rule to broadcasting | 61 | |

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| 16 | Relax the main studio rule | 30 | NAA, Tribune Company, NAB |
| 17 | Clarify that eligible entities can obtain 18 months to construct major modifications of authorized facilities | 31 | Tribune Company |
| 18 | Extend the three-year period for new station construction permits for eligible entities and SDBs | 32 | Tribune Company |
| 19 | Create medium powered FM stations | 36 | |
| 20 | Authorize interference agreements | 38 | Tribune Company |
| 21 | Harmonize regional interference protection standards; allow FM applicants to specify Class C, CO, C1, C2 and C3 facilities in Zone I and IA | 39 | NAB (“allow FM applicants to specify C, C0, C1, C2, and C3 facilities in Zones I and IA”) |
| 22 | Relax the limit of four contingent applications | 41 | Tribune Company, NAB |
| 23 | Request the removal of AM nighttime coverage rules from Section 73.21(i) | 48 | NAB |
| 24 | Relax principal community coverage rules for commercial stations | 49 | Tribune Company, NAB |
| 25 | Replace minimum efficiency standard for AM stations with a “minimum radiation” standard | 50 | NAB |
| 26 | Create a new local “L” Class of LPFM stations | 52 | |
| 27 | Collect, study and report on minority and women participation in each step of the broadcast auction process | 69 | |
| 28 | Redefine Community of License as a “market” for Section 307 purposes | 71 | |
| 29 | Increase new entrant discounts in broadcast auctions from 35% to 60% and increase discounts for small broadcast owners with less than three stations from 25% to 40% | 43 | |
| 30 | Require minimum opening bid deposits on each allotment for bidders bidding for an excessive proportion of available allotment | 44 | |
| 31 | Only allow subsequent bids to be made within no more than six rounds following the initial bid | 45 | |
| 32 | Require bidders to specify intention to bid only on channels with total minimum bid of four times their deposit, and designate a second place bidder if winning bidder withdraws | 46 | |

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| 33 | Mathematical touchstones: tipping points for the non-viability of independently owned radio stations in a consolidating market and quantifying source diversity | 26 | |
| 34 | Must-carry for certain Class A television stations | 28 | |
| 35 | Conduct tutorials on radio engineering rules at headquarters and annual conferences | 33 | NAA, NAB, Bonneville-Scranton |
| 36 | Develop an online resource directory to enhance recruitment, career advancement, and diversity efforts | 60 | |
| 37 | Engage economists to develop a model for market-based tradable diversity credits as an alternative to voice tests | 27 | |
| 38 | Remove non-viable FM allotments | 40 | NAB |
| 39 | Study the feasibility of a new radio agreement with Cuba | 42 | |
| 40 | Create a new Civil Rights Branch of the Enforcement Bureau with staff and compliance officers for EEO, transactional, advertising and procurement nondiscrimination for all platforms | 62 | |
| 41 | Legislative recommendation to expand the Telecommunications Development Fund (TDF) under Section 614 and finance TDF with auction proceeds | 13 | |
| 42 | Legislative recommendation to amend Section 257 to require the Commission to annually review and remove or affirmatively prohibit known market entry barriers including bundling, bonding, excessive minimum-years-in-business requirements, preferences for loans over grants, and previous large project experience; authorize an annual media and telecom diversity and digital divide census, and expand the scope of Section 257 to afford the Commission ancillary jurisdiction over civil rights enforcement for Title I and Title II services | 14 | |
| 43 | Legislative recommendation to clarify Section 307(b) to provide that rules adopted to promote localism are presumed to be invalid if they significantly inhibit diversity | 15 | |

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| 44 | Legislative recommendation to amend the FTC Act (15 U.S.C. §§ 41-58) to prohibit racial discrimination in advertising placement terms and advertising sales agreements | 16 | |
| 47 | Provide a tax credit for companies that donate broadcast stations to an institution whose mission is or includes training minorities and women in broadcasting | un-numbered | NAA |