

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
)	
2010 Quadrennial Regulatory Review - Review of)	MB Docket No. 09-182
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)	

**SUPPLEMENTAL REPLY COMMENTS OF THE
NEWSPAPER ASSOCIATION OF AMERICA**

No good deed goes unpunished. In response to concerns that the Commission's proposed relaxation of cross-ownership rules would reduce minority broadcast ownership, the Minority Media and Telecommunications Council ("MMTC") commissioned a qualitative study on the impacts of the Commission's proposal.¹ This research, conducted entirely at the MMTC's expense, found that broadcasters in cross-owned markets do not believe that cross-ownership poses a competitive threat. In light of these findings, the same groups whose concerns prompted the MMTC to fund the research are attacking the MMTC's methodology. These criticisms are off-base for a number of reasons.

¹ BIA/Kelsey, *The Impact of Cross Media Ownership on Minority/Women Owned Broadcast Stations* (May 30, 2013).

First, the critics, led by Free Press,² ignore the fact that the MMTC never claimed that this study was definitive or quantitative; the MMTC explicitly states that the study “was not intended to be exhaustive.”³ And the study’s conclusion explains that it “was not intended as a comprehensive random sample survey of all instances of local cross-media operations in markets with stations owned by minorities and/or women.”⁴ Indeed, one of the study’s peer reviewers stated that he “was generally comfortable with how these limitations were addressed in the Conclusion[.]”⁵ Thus, Free Press’s criticisms of the study’s use of online surveys, peer review, and other methodological factors fall flat.

Second, Free Press and other critics assume that the Commission’s modest, race-neutral proposal to loosen the cross-ownership rule cannot go forward without a comprehensive study about the impacts on diverse ownership. But they provide absolutely no support for this claim. Free Press points to no statute, regulation, or case law that requires the Commission to conduct a study before adopting this change to its cross-ownership rules. Although the MMTC’s study provides useful information, the research was not legally required; the Commission could have relaxed the cross-ownership rules even if the MMTC had not conducted the study.

² Comments of Free Press, MB Docket Nos. 09-182, 07-294 (July 22, 2013).

³ See Ex Parte Letter of the Minority Media & Telecommunications Council, MB Docket Nos. 09-182, 07-294 (May 30, 2013).

⁴ BIA/Kelsey, *The Impact of Cross Media Ownership on Minority/Women Owned Broadcast Stations* (May 30, 2013).

⁵ See Comments of Philip M. Napoli, Fordham University, MB Docket Nos. 09-182, 07-294 (August 6, 2013).

Third, although Free Press devotes many pages to criticizing the MMTC’s study, it provides no viable suggestions as to how to conduct more comprehensive research. As the NAA pointed out in its initial comments, due to the absolute ban on cross-ownership, very few markets have any cross-owned operations. Accordingly, it is unclear how researchers could ever gather enough data to satisfy Free Press’s demands. Free Press’s call for further analysis is merely a stalling tactic to prevent the Commission from adopting long-overdue regulatory relief that would help broadcasters and newspapers bolster newsgathering resources amid unprecedented economic challenges.

Fourth, Free Press fails to respond to the substance of the study’s findings: that the owners of broadcast stations who were surveyed do not believe that cross-ownership has any impact on their business. Free Press claims that the Commission’s proposal could theoretically reduce the number of stations owned by women and minorities, but it provides absolutely no support for this serious claim.

Finally, Free Press fails to address the dozens of pending race-neutral proposals that actually would *increase* ownership diversity. The NAA and other media organizations have endorsed a number of these proposals.⁶ We urge Free Press and other groups to focus on these proposals rather than speculate about the unsubstantiated threats of modest changes to the cross-ownership rules.



The NAA applauds the MMTC for commissioning a qualitative study that examines broadcasters’ views about cross-ownership. Free Press’s criticisms of the study

⁶ See Supplemental Comments of the Newspaper Association of America, MB Docket Nos. 09-182, 07-294 (December 26, 2012) (“NAA Supplemental Comments”) at 9-11.

are merely a last-ditch attempt at stalling a long-overdue regulatory reform that would provide relief to newsgathering operations nationwide. The NAA urges the Commission to adopt its modest proposal to modernize its cross-ownership regulations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kurt Wimmer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kurt Wimmer
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August 6, 2013