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December 17, 2013

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

RE: Notice of *Ex Parte* Communication, EB Docket No. 04-296 (Review of the Emergency Alert System); EB Docket No. 06-119 (Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina); MB Docket No. 09-182 (2010 Quadrennial Regulatory Review); MB Docket No. 07-294 (Broadcast Diversity Proceeding); WT Docket No. 05-211 (Modernization of the Competitive Bidding Rules and Procedures); WT Docket No. 13-135 (State of Mobile Wireless Competition); GN Docket No. 09-191 (Preserving the Open Internet); WC Docket No. 07-52 (Broadband Industry Practices); WC Docket No. 12-353 (Technological Transition); GN Docket No. 13-5 (Tech Transitions Task Force)

Dear Ms. Dortch:

This reports on a series of four meetings held December 16, 2013 among Commission personnel, myself, and Julia Johnson, Chair of MMTC. We met with Commissioner Rosenworcel and her Legal Advisor, Christianna Lewis Barnhart; with Ruth Milkman, Chief of Staff for Chairman Wheeler, Jonathan Sallet, Interim Director of the Technology Transitions Policy Task Force, and Gigi Sohn, Special Counsel for External Affairs for Chairman Wheeler.

Attachments:

- MMTC Letter Re: Review of Emergency Alert System (filed Dec. 16, 2013)
- MMTC Letter Re: IP Transition (filed Dec. 16, 2013)
- MMTC Broadband Priorities White Paper.

During each of these meetings we presented the above-referenced MMTC documents, and also discussed Emergency Broadcasting policy, the IP Transition, Minority Business Entity (MBE) policy, Internet regulation, and media ownership.

Emergency Broadcasting: We expressed our hope that under Chairman Wheeler's guidance, this administration would act on the pending Emergency Alert proposal to ensure that all individuals

have access to critical information before, during, and after an emergency – regardless of the language they speak.[1]

IP Transition: We reiterated MMTC's support for market tests and encouraged the Commission to collect data on issues critical to traditionally underserved communities and conduct some of the tests in multicultural and underserved communities.

MBE Policy: MMTC believes that secondary market and DE opportunities should be a central priority under the public interest standard. Data on MWBE participation should be collected and considered when determining whether the wireless market is competitive.[2] Further, the Commission should stop conflating minority business with "small business." To shrink the wealth gap, and to have a thriving economy in the digital age, the Commission should facilitate large minority deals.

Internet Regulation: I noted that the Internet hasn't required much regulation to date, thanks to its transparency and the 'shaming culture' that flags and dis-incentivizes abuse.[3] I reiterated MMTC's position that intensive regulation would discourage investment, slow broadband adoption, and leave the digital divide unacceptably wide.[4] Thus, the Commission should not seek to regulate the Internet as a high priority, irrespective of the outcome in Verizon v. FCC. The Commission should instead prioritize universal broadband access, adoption, and proficiency.

Media Ownership: I expressed our position that we do not object to some modest relaxation of the cross-ownership rule in large and some medium markets, so long as relaxation would not diminish minority ownership.[5] However, MMTC does not believe that the Commission should

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[1] See e.g. Reply Comments of the Minority Media and Telecommunications Council, EB Docket No. 04-296 (June 14, 2010), p. 2-6, available at http://mmtconline.org/lp-pdf/EAS%20Reply%20Comments%20061410.pdf (last visited Dec. 17, 2013).

[2] See Reply Comments of the Minority Media and Telecommunications Council, WT Docket No. 13-135 (July 25, 2013), available at http://mmtconline.org/wp-content/uploads/2013/07/MMTC-Reply-Comments-on-Role-MWBEs-in-Wireless-Competition-072513.pdf (last visited Dec. 17, 2013).

[3] There has been one case of blocking that resulted in a public outcry. See Public Knowledge et al., Emergency Petition for Declaratory Ruling (Aug. 29, 2011) (in which MMTC joined), available at http://mmtconline.org/lp-pdf/BART%20Pet%20for%20Decl%20Ruling%20082911.pdf (last visited Dec. 17, 2013).

[4] See e.g. Comments of the National Organizations, GN Docket No. 10-127 (July 16, 2010), available at http://mmtconline.org/lp-pdf/Natl%20Orgs%20Reclass%20071610.pdf (last visited Dec. 17, 2013).

[5] See Initial Comments of the Diversity and Competition Supporters in Response to the NPRM, MB Docket Nos 09-182 and 07-294 (March 5, 2012), p. 40-43, available at http://mmtconline.org/wp-content/uploads/2012/04/DCS-QuadRev-Comments-030512.pdf (last visited Dec. 17, 2013) ("DCS Initial Comments"). See also Mark Fratrik, Ph.D., The Impact of

further relax the television duopoly rule since that would deter growth of diverse ownership in broadcasting.[6] MMTC similarly feels that most shared service agreements are detrimental to minority ownership.

Respectfully submitted,

David Honig

David Honig
President

Cross Media Ownership on Minority/Women Owned Broadcast Stations, BIA/Kelsey (May 30, 2013), available at http://apps.fcc.gov/ecfs/document/view?id=7022419396 (last visited Dec. 17, 2013).

[6] See DCS Initial Comments at 38-40.