



February 5, 2014

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

Re: Notice of Ex Parte Communication, MB Docket Nos. 09-182, 10-71, 13-249, GN Docket No 12-268

Dear Ms. Dortch:

On February 3, 2014, National Association of Broadcasters President and CEO Gordon Smith, along with Rick Kaplan, Chris Ornelas and the undersigned of NAB, met with Chairman Tom Wheeler, Maria Kirby and Renee Gregory of the Chairman's office, Gary Epstein of the Incentive Auction Task Force and William Lake of the Media Bureau to discuss a variety of issues critical to the broadcast industry, including retransmission consent, the upcoming incentive auction of broadcast spectrum, AM radio revitalization and the broadcast ownership rules.

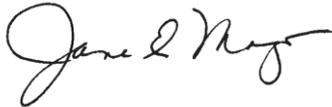
With regard to retransmission consent, NAB reiterated its position that the FCC lacks statutory authority to compel broadcasters to permit pay television operators to resell over-the-air broadcast signals to subscribers. It is fundamentally fair that broadcasters should have the right to negotiate for compensation. Moreover, broadcasters use retransmission consent revenue to enhance their ability to provide quality programming to the public.

With regard to incentive auctions, NAB again expressed its desire to work with the FCC toward a successful auction. NAB offered to meet with FCC staff to test and refine repacking scenarios that will achieve the statutory goal of preserving broadcast coverage areas while successfully recovering spectrum for wireless broadband service. NAB further suggested it might be an appropriate partner to help the Commission ensure that broadcasters have all of the information they need to decide whether or not to participate in the auction. NAB cautioned, however, that certain outreach methods might be seen as undue pressure on individual broadcasters to participate in the auction.

On the topic of AM revitalization, NAB expressed its appreciation that the Commission was moving forward to find ways to help AM radio and referenced our recently filed comments.¹

Finally, with regard to broadcast ownership rules, NAB noted that the Commission needs to take a realistic look at its ownership restrictions in the current media market. Broadcasting is the most heavily regulated communications industry, and as such faces challenges in attracting investors that are only exacerbated by uncertainty in how regulations are applied. Transactions that are consistent with current rules should be allowed to move forward. Any changes to the rules must be considered in a holistic manner. NAB noted that the record before the Commission contains many examples of joint sales and shared services agreements among broadcasters that have produced clear public benefits.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jane Mago". The signature is fluid and cursive, with the first name "Jane" and last name "Mago" clearly distinguishable.

Jane Mago
Executive Vice President and General Counsel
Legal and Regulatory Affairs
National Association of Broadcasters

¹ See NAB Comments in MB Docket No. 13-249 (filed Jan. 22, 2014).