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February 27, 2014

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary, Room TW B204
The Portals
445 12th Street, SW
Washington, DC 20554

**Re: Notice of Ex Parte
MB Docket Nos. 13-249, 09-182, 07-294 and 04-256
GN Docket No. 12-268
GN Docket No. 14-25
BO Docket No. 12-30
MM Docket 99-25**

Dear Ms. Dortch:

This letter is submitted pursuant to Section 1.1206 of the Commission's rules to disclose the communications made in the above-referenced proceedings. On Wednesday, February 26, 2014 members of the California Broadcasters Association met with Matthew Berry, Chief of Staff to Commissioner Ajit Pai, Clint Odem, Policy Director in the office of Commissioner Jessica Rosenworcel in two separate morning meetings. An afternoon meeting with Commissioner Michael O'Rielly and Courtney Reinhard, his Senior Legal Advisor and Chief of Staff, was attended by approximately nine California broadcasters, Stan Statham, CBA President, Joe Berry and Mark Powers, both CBA Vice Presidents, approximately nine CBA broadcasters.

The discussions touched on the following topics: the proposed study on critical information needs of communities, AM Revitalization, the Incentive Auction of television spectrum generally and the problem created by a failure to protect LPTV stations, the Commission's potential revision of the attribution rules as they relate to television joint sales and shared services agreements and the possibility of future attention to retransmission consent negotiations between television licensees and cable systems and interference problems peculiar to California due that are expected from the authorization and deployment of new LPFM stations and FCC Process Reform.

Critical Information Needs: In each meeting CBA broadcasters made the point that survey of newsroom news judgment practices by a government agency such as the FCC and as proposed in the study posed significant First Amendment issues and that such a survey is not necessary to examine the barriers to entry into communications businesses faced by minorities and others seeking new entrance, as required by Section 257. Broadcasters expressed their belief that the

study should be abandoned, but if it should reappear, it should not include any questions regarding newsgathering or newsroom practices.

AM Revitalization: In each meeting CBA broadcasters expressed support for the AM revitalization effort underway in MB docket 13-249, including the proposals to allow a special window for FM translators for AM stations. Support was also offered for the all the proposals of, and the comments of the Minority Media and Telecommunications Counsel submitted in the docket. As reflected in those comments, it was suggested that the Commission should reexamine the concept of “community” and the coverage requirements in a mature AM broadcasting industry, pointing out that service to a the entire city of license does not necessarily reflect the current marketplace realities and restricted technical choices for AM facilities.

TV Sharing Arrangements: CBA broadcasters expressed their grave concerns for the loss of public service opportunities should the Commission proceed to attribute TV joint sales and shared services agreements. Distinguishing television from radio, where JSAs are already attributed, CBA broadcasters pointed out that radio broadcasters are already permitted local market multiple station ownership in even in the smallest markets. In contrast, the TV rules allow only limited multiple ownership and in only the largest markets. The rules make it extremely difficult to respond to market economics consolidation outside those markets. In each meeting one broadcaster mentioned that at least one if his company’s JSA arrangements include one Spanish language station and, while the other station is a big-4 network affiliate, the stronger station is actually the Spanish language station. Without this JSA-SSA arrangement, the community could quite possibly lose the Fox affiliate. The broadcasters stated that competition from other forms of electronic media is fierce and that it has significantly affected the advertising revenue required to support the local programming each station seeks to provide. The efficiencies afforded by JSAs and sharing arrangements make local news and public service possible. The benefits of some specific joint operating agreements, including increased local news and the ability to support a variety of minority audiences with programming specific to their interest groups was cited by broadcasters.

The CBA broadcasters also offered that the Department of Justice comments on joint arrangements failed to recognize the reality that television does not compete in the an exclusive over-the-air broadcasting market, but is actually in a fiercely competitive multi-modal electronic medium marketplace.

TV Spectrum Auctions and Rebanding: One of the CBA broadcasters who operate a significant number of LPTV stations in several states that serve a many different language communities expressed his fear that these communities will lose their voice as a result of the TV spectrum rebanding. He told how these provide a valuable public service to very significant minority populations, but that without LPTV protection, he is concerned that they will not survive and asked for a review of this situation. Concern was expressed by other CBA broadcasters that there appears to have been little progress in cross-border coordination with Mexico, and that if rebanding proceeds without having a firm plan in place with Mexico, many Southern California TV stations will likely face serious problems of mutual interference.

Retransmission Consent: CBA broadcasters offered that retransmission consent is working properly as a market based negotiation and should remain so. Broadcasters drew the comparative programming cost to cable for some satellite networks, particularly sports networks and suggested those costs that were real cause of increased cable subscriber rates. The point was made that television, television networks, cable television, program distributors and program creators are all in a mutual cost spiral, and that local television broadcasters need to look to additional sources of revenue beyond advertising to support the level of local service expected of them.

LPFM Co-Channel Interference: A CBA member engineer described studies that he has conducted on hundreds of LPFM applications filed and construction permits granted for LPFM stations in California. He stated that he expects that many LPFM stations will cause significant co-channel interference to full-power, licensed FM stations because the application and licensing criteria is not terrain based, but relies on the FCC's 50-50 curves in Part 73. While this may also be true for the rest of the U.S., California is particularly beset with big terrain variations that will allow LPFM stations to cause objectionable co-channel interference, despite their clearance on paper under the 50-50 criteria. Acknowledging that stations are already being authorized, the point made was to apprise the Commissioners that interference complaints are likely to come that must be dealt with.

FM Chip: CBA radio broadcasters mentioned the importance of the FM chip and the issue that wireless carriers control the services available in their mobile devices. It was stated that in other countries, the FM chip is automatically activated. In the U.S., most mobile service providers turn it off. Given the importance of radio in times of emergencies, a request was made to look into the situation. It was acknowledged that the Commission's jurisdiction may be limited here, but that it should nevertheless more thoroughly investigate the situation.

FCC Process Reform: CBA Broadcasters expressed their displeasure that they are not apprised of complaints when they are received by the Commission

Should there be additional questions regarding this submission, kindly contact the undersigned.

Sincerely,



Gregg P. Skall

Counsel to the Missouri Broadcasters Association

cc: Commissioner Michael O'Rielly
Courtney Reinhard
Clint Odem
Matthew Berry