



March 14, 2014

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

Re: *Ex Parte* Communication in MB Docket Nos. 04-256, 09-182, 10-71

Dear Ms. Dortch:

On Wednesday, March 12, 2014, Marcia K. Burdick of Schurz Communications, Inc. and the undersigned met with Commissioner Clyburn and her Chief of Staff Adonis Hoffman and legal intern Stephanie Frank, to discuss reported proposals before the FCC to attribute television joint sales agreements (JSAs) for over 15 percent of inventory.

Consistent with the letter Ms. Burdick previously sent to Commissioner Clyburn on February 13, 2014, she described the efforts of her company to improve local television service by taking advantage of the economies of scale made possible by JSAs and shared services agreements (SSAs). She noted that there are many such arrangements in small markets throughout the US that are promoting the public interest through better local programming. Ms. Burdick also noted that these arrangements also create opportunities for greater diversity in broadcast ownership.

Ms. Burdick provided a document outlining the investment in facilities, news and public service at Schurz-owned WAGT in Augusta, Georgia after it entered into JSA-SSA agreements with Media General in 2009. As a stand-alone operation, WAGT had been unprofitable after it launched local news in 1997. Rather than increasing news as a result of the JSA-SSA, WAGT would have had to eliminate local news programming. These results are consistent with the materials about JSA-SSA agreements with other Schurz-owned stations in Wichita, Kansas and Springfield, Missouri, described in an *ex parte* letter from Schurz, Entravision Communications and NAB dated February 26, 2014.

We explained why suggestions that the Commission could examine sharing agreements on a case-by-case basis and grant waivers for clearly beneficial

1771 N Street NW
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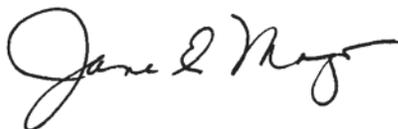
Marlene H. Dortch, Esq.
March 14, 2014

arrangements is not a viable solution. Waivers are inherently uncertain and likely to create obstacles to the investment needed to purchase or run a television station. Ms. Burdick cited an example from her own company where a waiver request relating to radio ownership had been pending at the FCC for some *14 years* until the company finally restructured to make the request moot.

I also pointed out that a case-by-case waiver approach would have a chilling effect on stations and their potential investors. It also places the burden of proof on precisely the wrong parties – the “good operators” that are promoting localism, diversity and competition.

I suggested an alternative approach that would shift the burden. To the extent that the Commission is concerned that there are some licensees in joint arrangements that are not in control of their stations, the Commission should clearly describe standards for control in joint arrangements and prohibit only those operations that do not meet those standards. I suggested that such standards are in fact discernable from the large database of transactions that have been reviewed at the Commission. Such standards could, for example, require licensees to (1) retain control over a minimum of 85% of programming; (2) retain at least 70% of revenues from sales of advertising; and (3) maintain at least 20% of station value in the license itself. The Commission could also require licensees to file sharing agreements to ensure transparency. Such an approach could be narrowly tailored to address the perceived problem.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jane Mago". The signature is fluid and cursive, with a large initial "J" and "M".

Jane Mago
Executive Vice President & General Counsel
National Association of Broadcasters

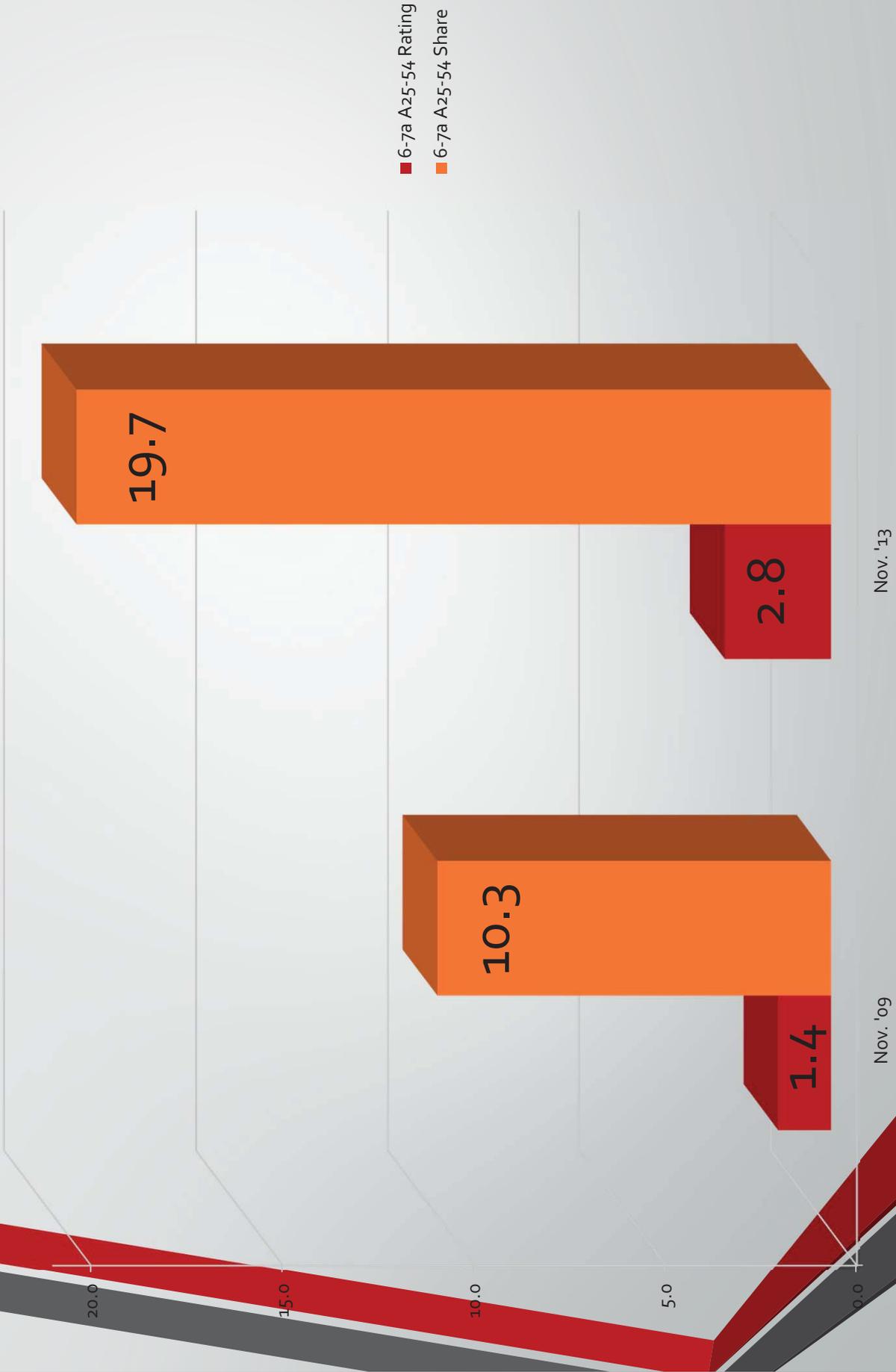
cc: Commissioner Clyburn
Adonis Hoffman
Stephanie Frank

Attachment

WAGT Positive Changes Under the JSA/SSA

- Since the JSA/SSA agreement all of WAGT's newscasts have either maintained or increased in ratings and shares.
- The most notable increases have been in the highly competitive morning news hours. WAGT has moved from a weak third to second place in the ratings slightly behind the market leader.
- WAGT has expanded to produce a M-F 7:00 p.m. news, the only local newscast at that time period, giving viewers an additional daily half hour to access the latest events.
- WAGT has also added two weekend hours of news from 9-10 a.m. Saturday/Sunday.

Adults 25-54: Ratings have doubled



WAGT Positive Changes Under the JSA/SSA

- WAGT has moved to a new state of the art facility, maintaining distinct and separate sales and news staffs and work areas.
- WAGT's news staff has increased from 19 full time and 2 part, to 25 full time and 2 part time positions, over a 25% increase.
- Staff expansion includes adding a 4th full time weather person which was critical in recent market weather disaster.
- For the first time ever in the history of the station, WAGT local sales exceeded \$400,000 in a month in February 2014.
- WAGT has increased its involvement within the community



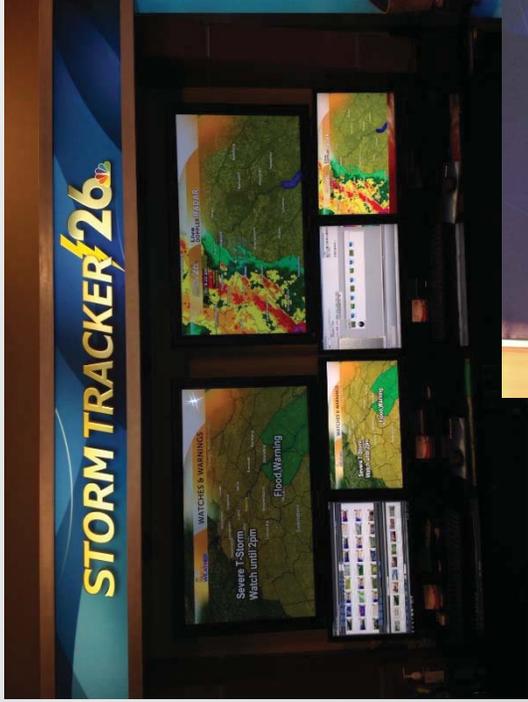
Separate Studio Facilities



Separate Control Room



WAGT News Room



WAGT Weather Team



Separate Sales Area



American Red Cross
Augusta Chapter

Augusta Chapter
1322 Ellis Street
Augusta, GA 30901
(706) 724-8481
www.redcross.org/ga/augusta

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February 27, 2104

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Mr. Marty Koger

WAGT NBC 26
1336 Augusta West Parkway
Augusta, GA 30909

To Whom It May Concern:

On behalf of the American Red Cross, Augusta Chapter, I would like to say what a pleasure it has been to work with everyone on staff at WAGT NBC 26! Their commitment to the community is evident not only with the Red Cross, but with many other organizations. From behind the scenes to on-air, you can always count on WAGT NBC 26 to respond quickly, to give tirelessly to community events, and to always be willing to help out in any way they can.

Last year, WAGT NBC 26's morning anchor, Liz Hill, not only emceed the Red Cross Heroes breakfast, she led the Heroes Campaign fundraiser. During the campaign, she rallied volunteers to raise funds, and she raised funds personally, as well! This kind of commitment shows up with every person you work with at WAGT NBC 26. From PSAs, news coverage, to events, WAGT NBC 26 is truly viewed by all at the Red Cross as wonderful partner that we have extreme gratitude for. I feel certain that many others in the community share our viewpoint!

Sincerely,

Jennifer Pennington
Executive Director
American Red Cross, Augusta Chapter



Mariah Gardner
Marketing and Promotions Manager
WAGT NBC 26
1336 Augusta West Parkway
Augusta, GA 30909

Dear Mariah,

Many thanks to you for the work that you did toward helping USC Aiken with promotion of our Cultural Series. Having changed the format and content of the series this year, it was imperative that we got the word out to the public. We could not have found a better partner for communication.

WAGT NBC 26 is already a very visible source by way of the popular programs carried by NBC, but in addition, our community has come to rely on this station for comprehensive and thorough local news and weather reporting. We are confident that most televisions are already tuned to channel 26.

The quality of the production of the spots you did for us was excellent, and gave us a leg up when projecting an impression of quality, and we are indebted for the frequency of the airing of those spots. We are indeed grateful for your generous and sincere efforts to help us promote our Cultural Series and look forward to future opportunities to collaborate.

Sincerely,

A handwritten signature in black ink that reads 'Judith Goodwin'.

Judith Goodwin
University Advancement
USC Aiken



February 25, 2014

NBC26/WAGT TV
1336 Augusta West Parkway
Augusta, GA 30909

P.O. BOX 3187
Augusta, GA 30914-3187
office (706) 736-2499
fax (706) 736-8558
www.safehomesdiv.org

To Whom It May Concern:

I am writing on behalf of SafeHomes, Inc., to express our gratitude to NBC26/ WAGT TV for continued partnership on a variety of successful projects and events. SafeHomes is a nonprofit domestic violence intervention organization for which I am employed, and for which I have served as a member of its Board of Directors. As a mission-minded social service agency, collaboration with other community organizations enables us to further our efforts to reach populations with whom we might not otherwise be able to connect.

As you can easily imagine, being a "grass-roots" nonprofit agency often brings challenges in securing funding and resources to accomplish our vision for our organization. This is the primary way that NBC26 has been able to support us. Through the sharing of invaluable connections, ideas, and air time, the staff's partnership has enabled us to not only host profitable/successful fundraising and educational events, but to exceed our own goals and expectations in doing so. Through all of these efforts, we have been afforded the opportunity to increase awareness of not only our programs and services, but also help the community the unfortunate reality of the enormous impact of domestic violence on society.

As I consider the assistance of NBC26, I must mention our primary contact, Mariah Gardner, Marketing and Promotions Manager. Her selfless assistance and commitment to our mission is to be admired. She has generously contributed her time, connections, and creativity to enhance a number of our most successful events and activities. Although a consummate leader, she remains humble in her offerings, and is happy to assist in any way possible. Simply put, her contributions are priceless.

I must say that our mission of "*transforming victims of domestic violence into survivors*" has been embraced by many of our partners in the communities we serve. Mariah and her fellow staff members at NBC26 are no exception, allowing us to not simply survive as a nonprofit, but to thrive. We look forward to strengthening our partnerships in exciting new ways in 2014 and beyond.

Please feel free to contact me for any questions, additional details, or to speak with me personally.

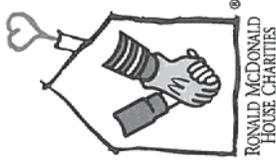
Kindest regards,

Ruthie Garcia
Public Relations & Volunteer Coordinator
SafeHomes, Inc.

Ronald McDonald House Charities of Augusta, Inc.

Creating a Caring Community for Families.

938 Greene Street
Augusta, GA 30901
P.O. Box 14189
Augusta, GA 30919-0189
Phone: 706.724.5901
Fax: 706.722.0884



Mariah Gardner
Marketing and Promotions Manager
WAGT NBC26
1336 Augusta West Parkway
Augusta, Georgia 30909

Dear Mariah,

We are so thankful to have WAGT NBC26 is one of our strongest community partners at the Ronald McDonald House Charities® of Augusta. Their enthusiasm and support for the House is unyielding and much appreciated. Having the station a part of our golf tournament, Plane Pull, and Red Nose Run has directly related in us raising more money each year in our events. Plus, you provide amazing customer service and meet every deadline we set for events.

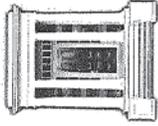
Over the last year, NBC26 has helped us tremendously with our capital campaign through our commercial spots and brick campaign. I can honestly say without their support we wouldn't be close as we are to finishing our campaign at the end of 2014.

NBC26 has become a part of the Ronald McDonald Family with their support over the years. We are so grateful they step up to help us raise funds for over 600 families we service each year.

Thank you so much for your continued support!

A handwritten signature in black ink, appearing to read "Sean Frantom".

Sean Frantom
Development Director
Ronald McDonald House Charities® of Augusta



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Administrative Director
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Administrative Assistant

February 26, 2014

Ms. Mariah Gardner
Marketing and Promotions Manager
WAGT NBC 26
1336 Augusta West Parkway
Augusta, GA 30909

Dear Mariah,

On behalf of the board and trustees of Historic Augusta, Inc., I wanted to thank WAGT NBC 26 for the generous support that your station has provided to our organization both recently and over years. Historic Augusta values the partnership that has formed through excellent Public Service Announcements that you have produced and aired on our behalf for numerous annual events including our House Fair, Downtown Loft Tour, Cotton Ball and Walk with the Spirits.

Through your in-kind donation of Public Service Announcements, your station helps us to reach audiences that we would never be able to reach on our own. In addition, we have been extremely grateful for your consistent willingness to cover stories that matter including updates to preservation projects at the Boyhood Home of President Woodrow Wilson during National Preservation Month in May and our annual Endangered Properties List each fall. We are always pleased when people tell us that they heard about an event or a preservation project because they saw it on WAGT NBC 26 News.

Each year Historic Augusta hosts a Heritage Party to honor our principal supporters. This year it will be held on Tuesday, March 25, 2014 from 6:30-8:30 pm at 814 Milledge Road. Invitations are being mailed soon and we hope that you will be able to come. If there is anyone else at the station that you would like to attend, please let us know. We do very much value our relationship and look forward to it continuing in the future.

Thank you again for everything that WAGT NBC 26 does for Historic Augusta, Inc. and for our city!

Sincerely,

Julia Jackson
Julia Jackson

Programs and Marketing Director