Summary of Studies Recommended by UCC OC Inc.

UCC OC Inc as offered six categories of research that we have suggested to the FCC in prior filings over the course of the Quadrennial Review:

- Impact of existing FCC policies on ownership by women and people of color
- Impact of local news sharing agreements (a type of SSA) on the production of diverse and competitive local news
- Improved collection of 323 data
- Use of 323 data to make conclusions about cause and effect and policies that can improve ownership rates by women and people of color
- Study impact of private transactions during 2013 (which were spurred by the incentive auctions) on ownership rates by women and people of color
- Research that would provide a record to support Congressional action on the minority tax certificate.

In our comments dated July 10, 2010,[1] UCC OC Inc. et al. suggested looking at:

(1) has the relaxation of the TV duopoly rules affected the number of television stations owned by minorities and women? ;
(2) has re-implementation of the failed station solicitation rule increased minority and female ownership? ;
(3) has the relaxation of the radio rules (both generally and by counting noncommercial stations in the numerical limits) affected the number of stations owned or controlled by minorities and women? ;
(4) has the FCC's decision to permit the transfer of grandfathered combinations in violation of the local ownership limits to certain eligible small businesses resulted in an increase in the number of broadcast stations owned by women or minorities?

We also suggested in that same filing, building on filings from 2009,[2] that the FCC begin studying SSAs and, in particular, LNS (local news sharing) agreements. We suggested the following studies of LNSs:

(1) what percentage of each participant's local news stories aired come from the LNS?
(2) how many different stories are produced in markets that have LNSs compared to ones that do not?
(3) how has the introduction of an LNS affected investigative reporting?
(4) what impact have LNSs had on the size of newsrooms?
(5) whether viewers are aware of these arrangements, and if so, how they are perceived?

We have filed many times encouraging the Commission to improve the collection of 323 data. As the attachment shows (323 data is incomplete), in come categories the FCC's data collection misses almost 40% of licensees. Procedural reform might improve this response rate.[3] In addition to merely collecting

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[1] Available at: http://apps.fcc.gov/ecfs/document/view?id=7020515286
[2] Available at: http://apps.fcc.gov/ecfs/document/view?id=7020349498
[3] Compare Wireline Bureau's recent public notice on CPNI certifications, Public Notice 14-183 (February 5, 2014) available at: http://www.fcc.gov/document/enforcement-advisory-annual-cpni-certifications-due-march-1-2014 with the Media Bureau Public Notice on 323 data submissions, Public Notice 13-2347 (December 9, 2013) available at: http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-13-2347A1.pdf.

323 data, the Commission should analyze and use the 323 data. Private organizations such as Free Press have developed complex and thoughtful analysis using Commission data.[4] The Commission now has 2011 data and 2013 data to draw on to answer some of the questions outlined above and perhaps come up with its own analysis of the factors impacting diversity of ownership.

Our comments filed in December 2012 comments in response to the Commission's last release of 323 data to highlight some of the problems with the FCC "report" on 323 data and what is required to comply with the Third Circuit mandate in *Prometheus II*.[5]

Our Dec 2012 comments also explain why the Commission must conduct an analysis of the Incentive Auction's impact on minority and female ownership in order to comply with the Third Circuit mandate in *Prometheus II*. We explained that for the Commission to move forward in the Quadrennial docket without understanding the incentive auction's docket impact on ownership diversity would be a significant failure under the Administrative Procedure Act in addition to violating the Third Circuit mandate.

The reply comments on the Media Bureau report[6] explain why the Commission must conduct studies if Congress is ever to adopt a new minority tax certificate, which has received high-profile and public support from Republicans, Democrats, and the NAB. While many actors in this space have professed interest in reinstatement of the tax certificate, an adequate record is necessary for the Congress do to so. Further, we reference the need for new and better SDB definitions in this section, which may well also be a good area for study and analysis by the Commission.

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[4] Free Press 2007 TV ownership study: http://www.freepress.net/sites/default/files/fp-legacy/otp2007.pdf; Free Press 2007 Radio ownership study: http://www.freepress.net/sites/default/files/fp-legacy/off_the_dial_summary.pdf

[5] Available at: http://apps.fcc.gov/ecfs/document/view?id=7022092159

[6] Available at: http://apps.fcc.gov/ecfs/document/view?id=7022097778