



April 21, 2014

VIA ECFS

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

Re: *Docket No. 12-268, Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*

Dear Ms. Dortch:

On Thursday, April 17, 2014, Michael Scurato of the National Hispanic Media Coalition ("NHMC"), Jason Lagria of Asian Americans Advancing Justice | AAJC, Todd O'Boyle of Common Cause, and other public interest advocates, met with Chairman Wheeler and the incentive auction team.

Mr. Scurato expressed the opinion that participation in the incentive auction could further decrease already low levels of ownership of broadcast licenses by women and people of color. As a result, diverse ownership of spectrum licenses could drop well below current levels. Mr. Scurato urged the Commission to avoid taking a "wait-and-see" approach during the auction by planning proactive steps to measure or mitigate any potential loss of ownership diversity. Mr. Scurato stressed that he was not advocating for limits on the ability of any eligible broadcaster to participate in the reverse auction.

First, as NHMC and others have recommended in previous filings, Mr. Scurato urged the Commission to collect and report data on diverse owners that relinquish their broadcast licenses throughout the incentive auction process.¹ A data collection during the auction would provide another data point in the Commission's renewed initiative to collect and maintain up-to-date broadcast ownership data and allow it to better consider remedial action immediately after the auction has concluded. The timing of the Commission's current biennial Form 323 data collection may not be adequate to reflect the results of the auction and could leave the Commission without an accurate snapshot of the new broadcast landscape for many years.

¹ See Comments of the National Hispanic Media Coalition, Docket No. 12-268 (filed Jan. 25, 2013), *available at* <http://www.nhmc.org/sites/default/files/NHMC%20Incentive%20Auction%20Comment.pdf>; Comments of the Leadership Conference on Civil and Human Rights, Docket No. 12-268 (filed Jan. 25, 2013), *available at* <http://apps.fcc.gov/ecfs/document/view?id=7022112208>.

Second, Mr. Scurato recommended that the Commission strive to educate broadcasters about the possibility of channel sharing. Further, the Commission should consider coordinating an exercise to identify parties interested in channel sharing so that they can easily find compatible sharing partner-stations in their markets. Doing so could maximize the retention of diverse voices while providing access to capital necessary to strengthen their stations.

Please contact me should you have any questions regarding this submission.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Scurato', with a stylized flourish at the end.

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