



PUBLIC NOTICE

Federal Communications Commission
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FCC SEEKS COMMENT ON RESEARCH STUDIES ON MEDIA OWNERSHIP

MB Docket No. 06-121

(MB Docket No. 02-277, MM Docket Nos. 01-235, 01-317, 00-244)

Comment Date: 60 days from the release of this Public Notice (October 1, 2007)

Reply Comment Date: 15 days after the date for initial comments (October 16, 2007)

The Federal Communications Commission announces the release of ten research studies on media ownership intended to inform the Commission's comprehensive review of its broadcast ownership policies undertaken in its rulemaking proceeding in MB Docket No. 06-121 involving the issues raised by the opinion of the U.S. Court of Appeals for the Third Circuit in *Prometheus v. FCC*¹ and its quadrennial review of its broadcast ownership rules and certain other rules.² The studies, which were conducted by outside researchers and by Commission staff, examine a range of issues that impact diversity, competition, and localism, three important policy goals of those rules. Pursuant to this Public Notice, the Commission seeks public comment on the studies, which are available on the Commission's website at <http://www.fcc.gov/ownership/studies.html>. The Commission will incorporate the studies and the public comments in the record of this proceeding. The studies will also be peer-reviewed. The Commission intends to use the data collected in the studies, as well as the comments, to inform its decisions in the ownership proceeding.

The following is a listing of the media ownership studies released today, and their respective authors and professional affiliations:

Study 1: How People Get News and Information

Description: This study surveys consumers about their use of media. It identifies consumers' primary, secondary, and tertiary sources of news and information and the frequency with which consumers access these sources.

Author: Nielsen Media Research, Inc.

¹ *Prometheus Radio Project, et al. v. FCC*, 373 F.3d 372 (2004) ("*Prometheus*"), stay modified on rehearing, No. 03-3388 (3d Cir. Sept. 3, 2004) ("*Prometheus Rehearing Order*"), cert. denied, 73 U.S.L.W. 3466 (U.S. June 13, 2005) (Nos. 04-1020, 04-1033, 04-1036, 04-1045, 04-1168, and 04-1177).

² See 2006 Quadrennial Regulatory Review – Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, Further Notice of Proposed Rule Making, 21 FCC Rcd 8834 (2006).

Study 2: Ownership Structure and Robustness of Media

Description: This study describes the ownership structure and robustness of current media, including broadcast television, cable television, satellite television, broadcast radio, satellite radio, newspapers, and the Internet. The information gathered concerning the current media marketplace is compared to the state of the media marketplace when the Commission last reviewed its ownership rules in the years 2002-2003.

Authors: Kiran Duwadi, Scott Roberts, and Andrew Wise, FCC

Technical Appendix: C. Anthony Bush, FCC

Study 3: Television Station Ownership Structure and the Quantity and Quality of TV Programming

Description: This study analyzes the effect of ownership structure and robustness (as described in Study 2) on various measures of the quantity and the quality of different types of TV programming, including local news and public affairs, minority programming, children's programming, family programming, religious programming, and violent and indecent content.

Author: Gregory S. Crawford, Department of Economics, University of Arizona

Study 4: News Operations

Description: This study, which is divided into four sections, collects data on the size and scope of the news operations of radio and television stations and newspapers. It also analyzes the relationship between the nature of the news operations and market characteristics, including ownership structure and robustness.

Section I: The Impact of Ownership Structure on Television Stations' News and Public Affairs Programming, Author: Daniel Shiman, FCC

Section II: Ownership Structure, Market Characteristics and the Quantity of News and Public Affairs Programming: An Empirical Analysis of Radio Airplay, Author: Kenneth Lynch, FCC

Section III: Factors that Affect a Radio Station's Propensity to Adopt a News Format, Author: Craig Stroup, FCC

Section IV: The Effect of Ownership and Market Structure on News Operations, Author: Pedro Almuquera, FCC

Study 5: Station Ownership and Programming in Radio

Description: This study uses station-level data to examine how ownership structure affects the programming and audience of radio stations.

Author: Tasneem Chipty, CRA International, Inc.

Study 6: The Effects of Cross-Ownership on the Local Content and Political Slant of Local Television News

Description: This study examines the effect of newspaper cross-ownership on television news coverage using matched pairs of cross-owned and non-cross-owned television stations.

Author: Jeffrey Milyo, Center for Applied Economics, University of Kansas, School of Business; Department of Economics and Truman School of Public Affairs, University of Missouri

Studies 7 and 8: These two studies examine levels of minority ownership of media companies and barriers to entry.

Study 7: Minority and Female Ownership in Media Enterprises

Authors: Arie Beresteanu and Paul B. Ellickson, Duke University

Study 8: The Impact of the FCC's TV Duopoly Rule Relaxation on Minority and Women Owned Broadcast Stations 1999-2006

Author: Allen S. Hammond, IV, Santa Clara University³

Study 9: Vertical Integration and the Market for Broadcast and Cable Television Programming

Description: This study examines levels of vertical integration in the media industry.

Author: Austan Goolsbee, University of Chicago, Graduate School of Business; American Bar Foundation; and National Bureau of Economic Research

Study 10: Review of the Radio Industry, 2007

Description: This study updates a study done during our last review of the media ownership rules. That study was titled "Radio Industry Review 2002: Trends in Ownership, Format, and Finance."

Author: George Williams, FCC

FILING COMMENTS

Comments are due 60 days from the release of this Public Notice (by October 1, 2007), and reply comment are due 15 days after the deadline for initial comments (by October 16, 2007). **All filings must be submitted in MB Docket No. 06-121.** Pleadings sent via e-mail to the Commission will be considered informal and will not be part of the official record. Comments may be filed using (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.⁴

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
 - For ECFS filers, in completing the transmittal screen, filers should include their full name, U.S. Postal service mailing address, and the applicable docket number: MB Docket No. 06-121. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message: "get form". A sample form and instructions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each

³ The Commission contracted with Allen Hammond, Barbara O'Connor, and Tracy Westen to undertake this study.

⁴ See *Electronic Filing of Documents in Rulemaking Proceedings*, 13 FCC Rcd 11322, 11326, ¶ 8 (1998).

filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of *before* entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.
- People with Disabilities: To request materials in accessible formats for persons with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or contact the Consumer and Governmental Affairs Bureau at (202) 418-0530 or (202) 418-7365 (TTY).
- Copies of any filed documents in this matter are also available for inspection in the Commission's Reference Information Center: 445 12th Street, S.W., Washington, D.C. 20554, (202) 418-7092

A copy must be sent to the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160, or via e-mail at www.bcpweb.com;

For further information, contact Michelle Connolly at (202) 418-1503 of the Office of Strategic Planning & Policy Analysis. Press inquiries should be directed to Mary Diamond, Media Bureau, at (202) 418-2388. TTY: (202) 418-7172 or (888) 835-5322.

PROCEDURAL MATTERS

This proceeding (MB Docket No. 06-121) has been designated "permit but disclose" for purposes of the Commission's *ex parte* rules. See generally 47 C.F.R. §§ 1.1200-1.1216. *Ex parte* presentations will be governed by the procedures set forth in Section 1.1206 of the Commission's rules applicable to non-restricted proceedings.⁵ Parties making oral *ex parte* presentations are directed to the Commission's statement re-emphasizing the public's responsibility in permit-but-disclose proceedings and are reminded that memoranda summarizing the presentation must contain the presentation's substance and not merely list the subjects discussed.⁶ More than a one or two sentence description of the views and arguments presented is generally required. See 47 C.F.R. §1.1206(b)(2).

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⁵ An *ex parte* presentation is any communication (spoken or written) directed to the merits or outcome of a proceeding made to a Commissioner, a Commissioner's assistant, or other decision-making staff member, that, if written, is not served on other parties to the proceeding or, if oral, is made without an opportunity for all parties to be present. 47 C.F.R. § 1.1201.

⁶ See *Commission Emphasizes the Public's Responsibilities in Permit-But-Disclose Proceedings*, 15 FCC Rcd 19945 (2000).