



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC COMMISSIONERS COPPS AND ADELSTEIN REACT TO BUREAU PUBLIC NOTICE ON MEDIA OWNERSHIP RULE

Washington, DC – On February 19, 2004, the Media Bureau issued a Public Notice seeking comment on one part of the Commission’s June 2nd media ownership decision. In particular, the Bureau Notice seeks comment on the impact on the so-called “UHF Discount” of recent legislation on the national television ownership cap. Under the outdated UHF Discount policy, UHF stations are considered to reach only 50 percent of the households that a VHF station reaches, notwithstanding that the majority of consumers receive identical UHF and VHF signals over cable or satellite facilities.

Commissioners Michael J. Copps and Jonathan S. Adelstein reacted to the Public Notice: “We were surprised to learn last Friday that agency staff had released a Public Notice seeking comment on the UHF Discount. With an issue of this import, it appears to us to be a highly unusual and irregular step for the staff to take without input from members of the Commission. The timing of this move -- coming little more than a week after the oral argument in this case coupled with an immediate communication from the FCC General Counsel to the Third Circuit seeking to hold the issue in abeyance based on the staff Public Notice -- may lead to questions of whether this is an attempt to avoid a substantive court decision on an apparent weakness and inconsistency in the June 2nd media ownership order.”

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