



# 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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## **COPPS AND ADELSTEIN WELCOME DECISION NOT TO APPEAL THIRD CIRCUIT MEDIA OWNERSHIP RULING, BUT WARN AGAINST BACK-DOOR COMMISSION ACTION**

FCC Commissioners Michael J. Copps and Jonathan S. Adelstein reacted to reports that the Office of the Solicitor General has decided not to file an appeal of the Third Circuit decision overturning the Commission's June 2, 2003 Order that weakened the nation's media concentration protections. Copps and Adelstein, who opposed the agency's earlier action, welcomed the Acting Solicitor General's decision and laid out a path forward:

“The Third Circuit correctly recognized that the Commission's decision was legally and procedurally flawed. The ball is now back in the FCC's court. The Commission should seize this second chance to do the right thing. To move forward to redesign our media policy, we call on the FCC to take three steps: (1) We should immediately begin a comprehensive proceeding to adopt rules that will promote the core values of localism, competition, and diversity. (2) We renew our call for the full Commission to schedule a series of hearings across the country to engage the American people on the future of their media and to gain a better understanding of the impact of media concentration on our communities. These should commence immediately. (3) We call on the FCC to gather a far more complete record, including independent research studies on media concentration in a variety of markets, so that we can make a decision that has a more solid foundation than the last failed effort.”

Copps stated: “I think there are companies out there who want to game the process by having the Commission write quick rules, one by one and under the radar scope, and accomplish piecemeal what they couldn't get whole. The American people are not served by a stealth airwaves grab.”

Adelstein added, “If true, the Administration made the right move. At least for today, the power of the American people triumphed over narrow corporate interests. It's a victory for millions of people who voiced their concern about letting big media companies get even bigger. It signals how badly the FCC failed to comply with the law. We need to go back to the drawing board and get it right. I hope we learned our lesson that public anger flares quickly when the government sides with media conglomerates. We ought to listen to the public this time.”