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NEW JERSEY

COMMITTEES

APPROPRIATIONS

COMMERCE, SCIENCE, AND  
TRANSPORTATION

ENVIRONMENT AND  
PUBLIC WORKS

United States Senate

WASHINGTON, DC 20510

June 8, 2011

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

Dear Chairman Genachowski:

As we discussed in our meeting today, I would like the Federal Communications Commission (FCC) to examine a transaction announced this week between the state of New Jersey and WNET regarding the future of the New Jersey Network (NJN) to determine whether or not the arrangement is consistent with the public interest and with FCC rules governing broadcast licenses. FCC review will be critical in determining whether a transfer of NJN to WNET will in fact serve the best interests of New Jerseyans.

As you know, New Jersey does not have its own broadcast media market and instead it must share two out-of-state designated market areas – New York City and Philadelphia. As a consequence, New Jerseyans are routinely subjected to news and local programming not focused on our communities, but rather areas outside of our state. This results in New Jerseyans lacking access to the range of broadcast television local news enjoyed by other Americans.

One of the few exceptions has always been the news and public affairs programming provided by New Jersey Network – our state's public television network. In particular, the NJN nightly news program airs five nights a week with high quality, original reporting on events across New Jersey.

This week, the state of New Jersey announced an agreement that will give control of NJN to WNET, the entity that currently controls two public broadcasting stations in New York (THIRTEEN and WLIW21). This deal will end the current NJN nightly news program and replace it with a program called "New Jersey Today." In addition, this deal will take other high quality New Jersey-focused news shows off the air. It is difficult to see how the loss of such programming is in the public interest of New Jerseyans – especially considering the state's lack of commercial broadcast television news access.

The proposal would also hand over NJN to WNET with not only no monetary investment by WNET, but also with a large subsidy for WNET by the State of New Jersey. This contrasts with the willingness of parties actually in New Jersey who have applied to take over NJN operations – such as Montclair State University, which demanded no money from the state and agreed to invest \$7 million dollars to maintain a

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continuous nightly news program and uphold NJN's historical commitment to other quality news programming.

Also complicating this matter is WNET's own history with New Jersey. While THIRTEEN's community of license is Newark, New Jersey, it has long ignored that commitment and located its main studio in New York City since 1961. Although WNET was required for a period of time to also maintain a studio in New Jersey, it sought a waiver of that obligation in 1996 that was granted by the FCC on the basis that it maintain its commitment to providing programming responsive to the people of New Jersey. Today, however, THIRTEEN's programming has a national focus, and the New Jersey focused programming it does have is limited. For example, it simply rebroadcasts NJN's nightly news and offers a handful of New Jersey public affairs shows that are also broadcast on NJN.

Given WNET's track record and the critical nature of NJN's New Jersey focused programming to the people of New Jersey, I believe that the FCC needs to closely examine this transaction.

Sincerely,

Frank R. Lautenberg