



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

May 1, 2014

The Honorable Tom Marino
U.S. House of Representatives
410 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Marino:

Thank you for your letter expressing concerns regarding the recent Commission action to attribute certain Joint Sales Agreements (JSAs) between television stations. I appreciate the opportunity to provide some clarification about the Commission's March 31, 2014 decision to attribute TV JSAs where one station sells 15% or more of the weekly advertising time on behalf of another station in the same market.

The Commission is taking a comprehensive review of the broadcast ownership rules as part of our recently adopted *Further Notice of Proposed Rulemaking* that started the 2014 Quadrennial Review. In that proceeding, we seek comment on a tentative conclusion that the current local TV ownership rule should be retained with a limited modification to account for the DTV transition. Historically, the Commission's rules have prohibited one television broadcaster from owning more than one licensee in small and medium-size markets. The purpose of this is to foster competition, localism, and a diversity of voices in the public interest.

Even in light of the pending proceeding, it is important that the Commission continues to enforce its existing rules. There has been a growing concern over the last decade that TV stations are using JSAs as a way to circumvent our local TV ownership restrictions, by influencing the core operating functions of the other station in a market where joint ownership would not be allowed under the rules. I do recognize that there could be some exceptions where an attributable JSA could be in the public interest, which is why the Commission adopted an expedited waiver process as part of its *Order*.

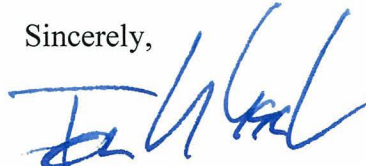
Stations have been on notice since 2004 when the Commission first started a proceeding proposing to attribute these types of TV agreements. Since the start, the industry has participated in the proceeding, and again in 2010 when the Commission sought additional comment as part of the Quadrennial Review of broadcast ownership rules. Additionally, in the Gannett/Belo transaction you cite in your letter, the Bureau put broadcasters on notice that Commission staff, on a going-forward basis, will be closely scrutinizing pending transactions that contain agreements that could raise concerns regarding the control or influence of the brokered station.

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By moving decisions on broadcast ownership into the open, we will enable the public and the Commission to consider more fully and appropriately the public interest issues raised by the implementation of the Commission's rules.

I hope this information is helpful.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a stylized, cursive script.

Tom Wheeler