

**JOINT STATEMENT OF
COMMISSIONER MICHAEL J. COPPS AND COMMISSIONER JONATHAN A. ADELSTEIN
APPROVING IN PART, DISSENTING IN PART**

Re: 2006 Quadrennial Review & 2002 Biennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, Cross-Ownership of Broadcast Stations and Newspapers, Rules and Policies Concerning Multiple Ownership of Radio Broadcast Stations in Local Markets Definitions of Radio Markets, Ways to Further Section 257 Mandate and to Build on Earlier Studies, Second Further Notice of Proposed Rule Making

Yesterday, the Commission provided the public only 60 days to comment on ten research studies that took dozens of economists and lawyers over eight months to prepare. Today – August 1st, after 11 months of inaction, the majority is providing the same truncated time for public comment on proposals that it neglected to discuss last year, at the beginning of our review of the media ownership rules.

In *Prometheus*, the Third Circuit took the Commission seriously to task for failing to consider the impact of potential rule changes on minority media ownership. The Court also faulted the Commission for sidelining MMTC’s proposals for advancing minority and disadvantaged businesses and directed that “[t]he Commission’s rulemaking process in response to our remand order should address these proposals at the same time.”¹ Yet, in its July 2006 *Further Notice*, the Commission could only muster up a few pat questions on this vital subject. On August 23, 2006, the Diversity and Competition Supporters – representing a broad array of minority and women’s organizations – rightly asked the Commission to seek further comment on the specific proposals. There the matter has sat, until today.

We dissent to the inadequate time given for public comment. After mulling this over for almost one year, the Commission is all of a sudden in a hurry and it is the public that gets punished. Giving the American people only 60 days to comment on dozens of proposals is outrageous. Not only is it disturbingly consistent with yesterday’s action, it is also eerily reminiscent of former Chairman Michael Powell’s rush to judgment four years ago when he rammed through consolidation that would have, had it not been subsequently reversed, inflicted incalculable injury on America’s media.

Now a new agenda seems to be brewing here. And whatever’s being cooked up, the public is not being given sufficient time to take a close look. Maybe someone’s worried that, once again, the public will spit it out.

¹ *Prometheus Radio Project v. FCC*, 373 F.3d 372, 421 n.59 (3d Cir. 2004).