

**DISSENTING STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: K. Rupert Murdoch (Transferor) and Fox Entertainment Group (Transferee), Applications for Transfer of Control of Fox Television Stations, Inc., File No. BTCCT-20050819AAF, et al.

Because the Memorandum Opinion and Order released on October 6, 2006 was unaccompanied by Commissioners' statements, I now include my original statement which continues to reflect my thoughts and conclusions on this proceeding:

As today's decision acknowledges, the Commission's review of a "long-form" Section 314 transfer of control includes a *de novo* review of media ownership waivers held by the transferor. This means the Commission has a duty to examine carefully whether the public interest compels extension of previously granted waivers. This is as it should be. After all, Congress charged the Commission with inquiring in *any* license transfer whether the "public interest, convenience and necessity will be served."

On this account, I believe today's decision is woefully deficient. It is nowhere near the searching *de novo* review that the Commission's precedent requires. Instead, the majority sweeps over the facts that led to these waivers, considers too little in the way of new data and reaches unsustainable conclusions about corporate efficiency, financial viability and market diversity. Loss of voices in a market due to waiver of rules like the newspaper-broadcast cross-ownership rule requires serious analysis. Yet there is no serious public interest analysis here. I must, therefore, dissent.

The Order on Reconsideration does nothing to address these concerns. Indeed, it fails to even *mention* the fact that, with the acquisition of the Wall Street Journal, News Corp. operates *two* of the New York market's most popular television stations and *two* of its most popular newspapers. I therefore renew my dissent.