

**STATEMENT OF  
ACTING CHAIRWOMAN MIGNON CLYBURN**

Re: *Amendment of Section 73.3555(e) of the Commission's Rules, National Television Multiple Ownership Rule*, MB Docket No. 13-236.

I am pleased today to issue a Notice of Proposed Rulemaking that initiates a proceeding to consider the elimination of the UHF discount.

The Commission adopted the UHF discount nearly 30 years ago, when UHF signals were considered to be technically inferior to VHF signals in analog television broadcasting. The rule was a means to address the competitive disadvantages experienced by UHF stations at the time. Yet with the transition of full-power stations to digital broadcasting completed in June 2009, the technical inferiority of UHF channels for the transmission of digital television signals appears to be a thing of the past. Thus, the technical justification for the UHF discount no longer appears valid.

The Commission and the television industry have anticipated the elimination of this discount for well over a decade. It is our task as regulators to ensure that our rules reflect current market realities. While it also may be appropriate to undertake the significant task of reexamining the national cap at some point in the future, we cannot in the meantime ignore the impact the DTV transition has had in the marketplace, changes that everyone must acknowledge currently stand this rule on its head.

The questions we ask today are ones the Commission promised to raise many times in written orders and should not surprise any market participant. The Notice specifically reflects the Commission's intent to consider fairly and accommodate as appropriate existing television station combinations, pending applications, and any future transactions that present special circumstances. The common sense action outlined in this NPRM should help to ensure that our rules reflect the current technical realities of television broadcasting. It is also consistent with the President's directive in his Executive Order to review significant regulations and determine whether they still serve the public interest.

I wish to thank Bill Lake and the staff in the Media Bureau, particularly Hillary DeNigro, Brendan Holland, and Johanna Thomas, for their hard work on this Notice.