Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of


Promoting Diversification of Ownership In the Broadcasting Services

To The Commission

FURTHER REPLY COMMENTS OF THE DIVERSITY AND COMPETITION SUPPORTERS

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January 4, 2013
To The Commission

FURTHER REPLY COMMENTS OF THE
DIVERSITY AND COMPETITION SUPPORTERS

The Diversity and Competition Supporters1 (“DCS”) respectfully submit these reply comments in response to the Commission’s Public Notice requesting comment on its recently released commercial broadcast station ownership report.2 As discussed in our December 26, 2012 Further Comments, and in light of data in the Report demonstrating the persistent and acute underrepresentation of minority and female ownership of the nation’s broadcast stations, DCS urges the Commission to consider the adoption of 47 race neutral proposals immediately to promote broadcast diversity. These proposals, which “encompass structural ownership rule reforms, FCC process reforms, and engineering rule revisions,” were described in detail in

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1 The Diversity and Competition Supporters is a coalition of national organizations created in 2002 to advance the cause of minority ownership in MB Docket No. 02-277 and subsequent dockets (see Appendix). This and all DCS pleadings reflect the institutional views of each of the Diversity and Competition Supporters, and are not intended to represent the individual views of each of the Diversity and Competition Supporters’ officers, directors and members.

Supplemental Comments DCS filed on April 3, 2012. Many of the proposals have since been endorsed by numerous industry associations and organizations including the Newspaper Association of America (NAA), the National Association of Broadcasters (NAB), the National Association of Media Brokers (NAMB), Media General, Inc., the Tribune Company, as well as by the 50 national organizations that were signatories to DCS’ 2012 Supplemental Comments.

We provide the Commission with a chart infra, which denotes the proposals that have been endorsed by these organizations in the current media ownership rules review proceeding.

I. ORGANIZATIONS THAT HAVE ENDORSED PROPOSALS MADE BY THE DIVERSITY AND COMPETITION SUPPORTERS

The table below contains the proposals made by DCS, as enumerated in DCS’ 2012 Supplemental Comments and each organization filing comments in support of the proposals. Should additional endorsements be contained in the reply comments due today, DCS will file a supplement to this table.

<table>
<thead>
<tr>
<th>Proposal Number</th>
<th>Name of Proposal</th>
<th>Endorsing Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Minority Ownership Incubation</td>
<td>Tribune Company,5 NAA,6 NAB, NAMB8</td>
</tr>
</tbody>
</table>


4 See DCS 2012 Supplemental Comments at p. 94 (the Appendix comprises over 50 DCS member signatories who endorsed this Comment).


6 See Supplemental Comments of The Newspaper Association of America, 2010 Quadrennial Regulatory Review - Review Commission’s Broadcast Ownership Rules and Other Rules
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<tr>
<td>2</td>
<td>Relax Broadcast Foreign Ownership Restrictions</td>
<td>Tribune Company, 9 NAMB 10</td>
</tr>
<tr>
<td>7</td>
<td>Create a Media and Telecom Public Engineer Position to Assist Small Businesses and Nonprofits with Routine Engineering Matters</td>
<td>NAB 15</td>
</tr>
</tbody>
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9 See Tribune Company Comments at p. 41.

10 See NAMB Comments at p. 7.

11 See Tribune Company Comments at p. 41.

12 See NAB Reply Comments at p. 32.


14 See NAMB Comments at p. 7.

15 See NAB Reply Comments at p. 33, n. 131.
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<tr>
<td>8</td>
<td>Issue A One-Year Waiver, On A Case-By Case Basis, Of Application Fees For Small Businesses And Nonprofits</td>
<td>NAA&lt;sup&gt;16&lt;/sup&gt;</td>
</tr>
<tr>
<td>9</td>
<td>Grant Eligible Entities a Rebuttable Presumption of Eligibility for Waivers, Reductions, or Deferrals of Commission Fees</td>
<td>Tribune Company&lt;sup&gt;17&lt;/sup&gt;</td>
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<tr>
<td>11</td>
<td>Extend Grandfathering for One Year if the Cluster or Noncompliant Station(s) are Sold to a Small Business</td>
<td>Tribune Company (would also support permanent grandfathering)&lt;sup&gt;18&lt;/sup&gt;</td>
</tr>
<tr>
<td>13</td>
<td>Structural Rule Waivers for Financing Construction of an Unbuilt Station</td>
<td>Tribune Company&lt;sup&gt;19&lt;/sup&gt;</td>
</tr>
<tr>
<td>14</td>
<td>Use the Share-Time Rule to Allow Broadcasters to Share Frequencies to Foster Ownership of DTV and FM Subchannels</td>
<td>Tribune Company&lt;sup&gt;20&lt;/sup&gt;</td>
</tr>
<tr>
<td>16</td>
<td>Relax the Main Studio Rule</td>
<td>NAA,&lt;sup&gt;21&lt;/sup&gt; Tribune Company,&lt;sup&gt;22&lt;/sup&gt; NAB,&lt;sup&gt;23&lt;/sup&gt;</td>
</tr>
<tr>
<td>17</td>
<td>Clarify that Eligible Entities can Obtain 18 Months to Construct Major Modifications of Authorized Facilities</td>
<td>Tribune Company&lt;sup&gt;24&lt;/sup&gt;</td>
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</tbody>
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<sup>16</sup> See NAA Comments at p. 10.
<sup>17</sup> See Tribune Company Comments at p. 41.
<sup>18</sup> See id. at p. 42.
<sup>19</sup> See id.
<sup>20</sup> See id. at p. 43.
<sup>21</sup> See NAA Comments at p. 10.
<sup>22</sup> See id.
<sup>23</sup> See NAB Reply Comments at p. 33, n. 131.
<sup>24</sup> See Tribune Company Comments at p. 43.
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<tr>
<td>18</td>
<td>Extend the Three-Year Period for New Station Construction Permits for Eligible Entities and SDBs</td>
<td>Tribune Company</td>
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<td>20</td>
<td>Authorize Interference Agreements</td>
<td>Tribune Company</td>
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<tr>
<td>21</td>
<td>Harmonize Interference Protection Standards; Allow FM Applicants to Specify Class C, C0, C1, C2, and C3 Facilities in Zones I and IA</td>
<td>NAB (“allow FM applicants to specify Class C, C0, C1, C2, and C3 facilities in Zones I and IA)</td>
</tr>
<tr>
<td>22</td>
<td>Relax the Limit of Four Contingent Applications</td>
<td>Tribune Company, NAB</td>
</tr>
<tr>
<td>23</td>
<td>Request the Removal of AM Nighttime Coverage Rules from Section 73.24(i)</td>
<td>NAB</td>
</tr>
<tr>
<td>24</td>
<td>Relax Principal Community Coverage Rules for Commercial Stations</td>
<td>Tribune Company, NAB</td>
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<tr>
<td>25</td>
<td>Replace “Minimum Efficiency” Standard for AM Stations with a “Minimum Radiation” Standard</td>
<td>NAB</td>
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<td>26</td>
<td>Conduct Tutorials on Radio Engineering Rules at Headquarters and Annual Conferences</td>
<td>NAA, NAB</td>
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25 See id.
26 See id.
27 See NAB Reply Comments at p. 33, n. 131.
28 See Tribune Company Comments at p. 44.
29 See NAB Reply Comments at p. 33, n. 131.
30 See id.
31 See Tribune Company Comments at p. 44.
32 See NAB Reply Comments at p. 33, n. 131.
33 See id.
34 See NAA Comments at p. 10.
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<tr>
<td>38</td>
<td>Remove Non-Viable FM Allotments</td>
<td>NAB&lt;sup&gt;36&lt;/sup&gt;</td>
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<tr>
<td>45</td>
<td>Ask Congress to Create a Small and Minority Communications Loan Guarantee Program through the Small Business Administration</td>
<td>NAA&lt;sup&gt;37&lt;/sup&gt;</td>
</tr>
<tr>
<td>47</td>
<td>Provide Tax Credits to Companies that Donate Broadcast Stations to Institutions that Train Minorities and Women in Broadcasting.</td>
<td>NAA&lt;sup&gt;38&lt;/sup&gt;</td>
</tr>
</tbody>
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<sup>36</sup> See id.<sup>36</sup>
<sup>37</sup> See NAA Comments at p. 10.<sup>37</sup>
<sup>38</sup> See id.<sup>38</sup>
Conclusion

The Commission can wait no longer to take strong, pro-active steps to increase broadcast industry diversity. Forty-seven proposals have been placed on the record in this docket, and many are endorsed by a wide cross-section of stakeholders. The proposals would remove barriers for minorities and women entrepreneurs so that they may secure and grow footholds in broadcast ownership. DCS members reiterate their steadfast commitment to working with the Commission to ensure that our communications industries truly serve the public interest and reflect the rich diversity of our nation.

Respectfully submitted,

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January 4, 2013
APPENDIX

COMPLETE LIST OF THE DIVERSITY AND COMPETITION SUPPORTERS (DCS) SIGNING ONTO THE DECEMBER 26, 2012 FURTHER COMMENTS AND THE ATTACHED JANUARY 4, 2013 FURTHER REPLY COMMENTS

1. A. Philip Randolph Institute
2. American Indians in Film and Television
3. ASPIRA
4. Black Entertainment and Sports Lawyers Association
5. Black Leadership Forum
6. Broadband & Social Justice
7. Communications Consumers United
8. Dialogue on Diversity
9. Hispanic Elected Local Officials
10. International Black Broadcasters Association
11. Latinos in Sciences and Technology Association
12. Lawyers’ Committee for Civil Rights Under Law
13. League of United Latin American Citizens
14. MANA – A National Latina Organization
15. Minority Media and Telecommunications Council
16. National Action Network
17. National Association of Black County Officials
18. National Association of Black Journalists
19. National Association of Black Telecommunications Professionals
20. National Association of Multicultural Digital Entrepreneurs
21. National Black Caucus of Local Elected Officials
22. National Black Caucus of State Legislators
23. National Black Church Initiative
24. National Black Religious Broadcasters
25. National Conference of Black Mayors
27. National Hispanic Caucus of State Legislators
28. National Hispanic Foundation for the Arts
29. National Newspaper Publishers Association
30. National Organization of Black County Officials
31. National Organization of Black Elected Legislative Women
32. National Puerto Rican Chamber of Commerce
33. Native American Public Telecommunications
34. Universal Impact
35. Women’s Institute for Freedom of the Press

39 In Initial Comments March 5, 2012 and Supplemental Comments April 3 2012, 50 Diversity and Competition Supporters endorsed the 47 proposals and the eligible entity definition that are discussed in these Further Comments. These 50 groups continue to support the 47 proposals and the definition. The 35 organizations listed here have now signed onto both the December 26, 2012 Further Comments and the attached January 4, 2013 Further Reply Comments.