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To: All Broadcast Clients

January 10, 2008

FCC ADOPTS REVISION TO NEWSPAPER/BROADCAST CROSS-OWNERSHIP RULE

Recently, the FCC concluded its quadrennial review of the broadcast ownership rules, and announced that it had amended its ban on newspaper/broadcast cross-ownership by adopting a rule that would presumptively allow the common ownership of a newspaper and one television station or one radio station in the top 20 markets.

Under the new rule, the Commission would presume that a proposed newspaper/broadcast transaction is in the public interest if it meets the following test:

- The market is one of the 20 largest Nielsen DMAs;
- The transaction involves the combination of only one major daily newspaper and only one television or radio station;
- If the transaction involves a television station, at least eight independently owned and operating major media voices (defined to include major newspapers and full-power television stations) would remain in the DMA following the transaction; and

- If the transaction involves a television station, that station is not among the top four ranked stations in the DMA.

The Commission would presume that all other proposed newspaper/broadcast transactions are not in the public interest, unless either the newspaper or broadcast station was failing, or the newspaper/broadcast combination would result in at least seven hours of new local news programming per week on a station that previously had not aired local news.

We will let you know when the text of the Report and Order has been released, and the effective date of the new rule.

If you have any questions concerning the new rule, please contact any attorney in our office.

Leventhal Senter & Lerman PLLC

This memorandum is intended only as a general discussion of these issues and should not be regarded as legal advice. We would be pleased to provide additional details or advice about specific situations if desired. To discuss any of the issues presented here, please contact any attorney in our office.