

February 27, 2017

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: Written *ex parte* presentation in MB Docket Nos. 14-50,
09-182, 07-294, 04-256**

Dear Ms. Dortch:

As the News Media Alliance repeatedly has shown,¹ there is no rational explanation for the FCC to continue the 1975 Newspaper-Broadcast Cross Ownership rule. The rule imposes twentieth century order on a twenty-first century media landscape: in a time where more Americans receive their news from the Internet and newspapers compete with an exponentially growing number of platforms for both readers and advertising dollars, the cross-ownership ban unfairly excludes newspapers from investment opportunities and does not advance competition, diversity of ownership, or localism. It is this last element that we focus on here.

“Localism” is one of the cornerstone values underlying the public-interest standard that guides the Commission’s regulatory efforts. “Localism” refers to the value of encouraging broadcasters to air programming that responds to the interests of their communities of license. The Commission has multiple rules and policies intended to foster localism,² and some believe that cross-ownership restrictions should be considered part of this effort.

That is a mistake, plain and simple. It is well-settled that the cross-ownership ban is not necessary to protect localism. In fact, the ban undermines localism: in 2010, the Commission concluded that “newspaper/broadcast cross-ownership may enable commonly owned properties to produce and disseminate more and sometimes better local news.”³ The Third Circuit agreed with this conclusion over a decade ago.⁴

¹ See, e.g., Comments of News Media Alliance in Support of NAB Petition for Reconsideration, MB Docket Nos. 14-50, 09-182, 07-294, 04-256 (Jan. 24, 2017).

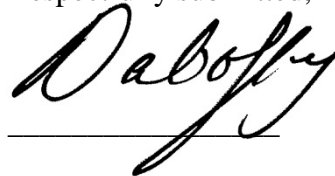
² See *Broadcast Localism*, MB Docket No. 04-233, FCC 07-218 (Jan. 24, 2008).

³ *Further Notice of Proposed Rulemaking and Report and Order*, MB Docket Nos. 14-50, 09-182, 07-294, 04-256 (April 15, 2014) (“FNPRM”) at ¶ 141. Indeed, there are scores of compelling examples of cross-ownership fostering exceptional local journalism, see, e.g., (continued...)

Today, it is even more compelling. Local newspapers, more than any other medium, start the conversation in communities throughout our country. Although there are a growing number of aggregators, blogs, and other websites that summarize or expand upon content, newspapers and broadcasters remain the primary *original* sources of local news. Yet local newspapers—the ones actually paying to produce original content—cannot draw upon local investments to support this journalism. Newspapers need investment to produce the credible content their communities deserve. Without local content, other news outlets, from aggregators to national news organizations, suffer.

There is an obvious solution to this: eliminate the cross-ownership ban. The government should not prohibit a party from investing in newspapers just because it also has broadcast interests. In fact, interested investors, such as civic leaders, likely share the same knowledge of and commitment to the community that the local newspaper does. Lifting the cross-ownership ban will permit newspapers to engage in the full scope of investment possibilities and will lead to more and better content for all Americans.

Respectfully submitted,



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Comments of Newspaper Association of America, MB Docket Nos. 14-50, 09-182, 07-294 (Aug. 6, 2014) at 2-10 (demonstrating how cross-ownership has led to stronger local journalism across the country, from Atlanta to South Bend to Spokane).

⁴ *Prometheus Radio Project v. FCC*, 373 F.3d 372, 299 (3d Cir. 2004).

cc: Mr. Matthew Berry
Ms. Michelle Carey
Mr. Brendan Carr
Ms. Robin Colwell
Mr. David Grossman
Ms. Allison Nemeth