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**Revised Newspaper/Broadcast  
Cross-Ownership Rule**

On December 18, 2007, the Federal Communications Commission (“FCC”), led by Republican Chairman Martin, voted 3-2 along party lines to revise the newspaper/broadcast cross-ownership rule so as to allow a newspaper to own one television station or one radio station in the 20 largest U.S. markets, subject to satisfaction of specific criteria.<sup>1</sup> The FCC declined to revise, relax or eliminate the other FCC ownership rules relating to the television or radio broadcast markets, and let stand the existing local television duopoly rule, the local radio ownership rules, the local radio-television cross ownership rule and the dual network rule currently in place.

The new newspaper/broadcast cross-ownership rule presumptively allows newspaper/broadcast cross-ownership in the largest 20 markets. The FCC will deem a proposed newspaper/broadcast combination to be in the public interest if it satisfies the following four criteria: 1) the market at issue is one of the top twenty markets; 2) the transaction involves the combination of only one major daily newspaper and one television or radio station; 3) if the transaction involves a television station, there will be still at least eight independently owned and operating major media voices in such market following the transaction; and 4) if the transaction involves a television station, the television station or radio station involved is not one of the top four stations in the market.

All other proposed newspaper/broadcast transactions would continue to carry the presumption of not being in the public interest, except that there are two limited circumstances in which the negative presumption would be reversed: 1) where the newspaper or broadcast outlet is “failed” or “failing”; and 2) where the proposed combination results in a new source of local news in a market in that it would initiate at least seven hours of local news programming per week on a broadcast station that had not previously aired local news.

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<sup>1</sup> The summary provided herein is based on the FCC News Release issued December 18, 2007, and will be updated upon release of the FCC Memorandum and Order.

Based on recent public statements from public interest groups, it is expected that these rules will be challenged in court. In addition, in response to the FCC's action, legislation has already been introduced in Congress to stop these new rules from going forward.

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If you have any questions about the issues addressed in this memorandum or if you would like a copy of any of the FCC Press Release, please do not hesitate to call or e-mail Kathy Strom at (202) 862-8944 or [stromk@cgrdc.com](mailto:stromk@cgrdc.com).