

ALERT

FCC Seeks Comment on Relationship Between National TV Networks and Local Affiliates

November 24, 2025

On November 19, 2025, the Media Bureau of the Federal Communications Commission (FCC or Commission) issued a Public Notice seeking comment on how market and regulatory dynamics have impacted the relationship between local television stations and national broadcast networks. The Public Notice marks the first time the FCC has reviewed these issues in over 15 years. Comments are due on December 10, 2025, and reply comments are due on December 24, 2025.

The FCC specifically seeks comment on how changes in the market for video programming – such as greater consolidation of station ownership, NextGen TV, the rise of streaming services, and cord cutting – have affected the “relative bargaining positions” of national networks and local stations. The Notice asks whether national networks are using their market positions to “unduly influence the terms of the affiliation agreements with their affiliates.”

The FCC also requests comment on whether existing network affiliation agreements are “impeding the ability of affiliates to maintain ultimate control” over the programming and operation of their stations. Although Section 73.658 of the Commission’s rules already restricts affiliation agreements in ways meant to preserve station independence, the Commission asks if these rules are “generally observed” and what steps the Commission can take to ensure compliance.

Within Section 73.658, the Notice seeks input on whether the Commission should modify the “right to reject” rule, which requires that local stations retain the power to refuse network programs that a station “reasonably believes to be unsatisfactory or unsuitable or

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contrary to the public interest.” The Commission questions whether national programmers are still “able to take actions or threaten to punish” local stations that “exercise their lawful right to preempt national programming.”

The Notice ends with requests for policy recommendations that “foster competition in affiliate negotiations” and for feedback on specific proposals, including whether the FCC should:

- Adopt a “good faith” bargaining requirement for network/affiliate negotiations akin to the existing requirement for negotiations between broadcast stations and multichannel video programming distributors (MVPDs);
- Implement rules recommended by a 1941 Commission Report that investigated unfair practices by national networks in the AM radio market; and
- Provide a safe harbor for affiliates and networks to renegotiate their agreements within a specified period of time if the Commission prohibits any existing contract provisions or practices.

Wiley’s Media Practice has extensive experience counseling broadcasters on FCC compliance and advocating for their interests before the Commission. If you are interested in filing comments or have questions, please contact one of the attorneys listed on this alert or the Wiley attorney who routinely handles your FCC matters.