

# FCC Seeks to Refresh the Record on National Television Multiple Ownership Rule Proceeding

June 20, 2025

On June 18, 2025, the Federal Communications Commission (FCC or Commission) released a Public Notice seeking to refresh the record in the National Television Multiple Ownership Rule proceeding, which has been pending since 2017. Given the passage of time and the fact that the proceeding continues to draw attention, the Public Notice seeks comment on several topics concerning the status of today's TV and video marketplace.

Comments will be due 25 days after publication in the Federal Register, with reply comments due 20 days thereafter.

## ***The National Television Multiple Ownership Rule***

On December 14, 2017, the FCC adopted a Notice of Proposed Rulemaking seeking comment on whether to modify, retain, or eliminate the national audience reach cap (National Cap NPRM). The national audience reach cap limits entities from owning or controlling broadcast TV stations which, in the aggregate, reach more than 39% of TV audience households in the United States. Additionally, the National Cap NPRM sought comment on the rule's Ultra High Frequency (UHF) discount, which provides a 50% discount to UHF stations to calculate compliance with the national audience reach cap.

## ***Refreshing the Record***

With the Public Notice, the Commission will "open a new comment window and encourage the submission of new or additional information to refresh the record in the National Television Multiple

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## Practice Areas

Media  
Telecom, Media & Technology

Ownership Rule proceeding.” The FCC seeks comment on the following topics:

- **Materials Filed Since the Comment Period Ended in 2018:** The Commission invites comment on materials that warrant further consideration, including new and relevant information on pertinent issues, how commenters’ positions have changed, and whether information in the record is outdated or superseded by recent developments. The Commission also asks commenters to “explain how any new analysis, evidence, or proposals relate to the FCC’s promotion of the public interest.”
- **New or Additional Information Related to the TV and Video Programming Marketplace:** The FCC welcomes insight into relevant new or additional information related to the TV and video programming marketplace, including changes in the marketplace and the relationships between national broadcast networks and local affiliates. The Commission also requests comment on the incentives and behaviors of networks, affiliates, and other market participants.
  - The FCC also asks for comment on whether common ownership of stations that are not affiliated with major national broadcast networks should be excluded from the cap.
  - Additionally, the FCC asks commenters to address whether, if the FCC keeps the cap, the Commission should include any type of discount.
- **Relevant Trends Within the TV and Video Programming Industry or Other Markets:** The FCC poses two questions for comment:
  - How has the national audience reach cap affected broadcast television’s market position in relation to other video distributors, such as online video providers, that are not restricted by ownership limits?
  - Do the current relationships and business dealings between broadcast television and other video distributors support modification or elimination of the national audience reach cap?
- **Legal or Economic Developments:** Lastly, the Commission seeks comment on legal or economic developments that should be considered in the context of the national television audience cap, including any such developments that would impact the FCC’s past conclusions about authority to change the national audience reach cap or the UHF discount.

Wiley’s Media Practice has a deep bench of attorneys with extensive experience counseling broadcasters on the FCC’s ownership rules and advocating for their interests before the Commission. If you have any questions or would like to file comments, please contact the Wiley attorney who regularly handles your FCC matters or the authors of this alert.