

ALERT

FCC Media Ownership Rule Changes Effective February 7, 2018; Comments Due March 9, 2018 on Proposals to Increase Broadcast Ownership Diversity

January 9, 2018

The Federal Communications Commission's (FCC) Order on Reconsideration (Order) adopting sweeping changes to the media ownership rules has been published in the Federal Register. This establishes February 7, 2018 as the effective date for all but one of the rule changes adopted in the Order. As previously explained, the Order (i) eliminates the 42-year-old newspaper/broadcast cross-ownership rule; (ii) eliminates the radio/television cross-ownership rule; (iii) loosens the existing rules governing the ownership of local television stations; (iv) adopts a presumptive waiver standard for certain so-called "embedded markets" under the local radio ownership rule; and (v) reverses the FCC's earlier decision to treat television joint sales agreements (JSAs) as conferring attributable ownership interests. The only rule change not subject to the February 7 effective date is the elimination of the requirement to file television JSAs which, although deregulatory in nature, impacts paperwork obligations and therefore requires approval of the Office of Management and Budget. Federal Register publication also triggers the deadline for filing petitions for review of the Order.

The diversity-related Notice of Proposed Rulemaking (NPRM) that was adopted with the Order has also been published in the Federal Register. The NPRM initiates a proceeding to establish an incubator program to facilitate the entry of new and diverse voices in the broadcast industry. Its publication establishes March 9, 2018 as the deadline for comments, and April 9, 2018 for the deadline for reply comments, on the NPRM. Our summary of the NPRM is appended to

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our summary of the Order and is available [here](#).

If you have questions or are interested in participating in these proceedings, please contact us.