

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
2002 Biennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996)	MB Docket No. 02-277
)	
Cross-Ownership of Broadcast Stations and Newspapers)	MM Docket No. 01-235
)	
Rules and Policies Concerning Multiple Ownership of Radio Broadcast Stations in Local Markets)	MM Docket No. 01-317
)	
Definition of Radio Markets)	MM Docket No. 00-244

ORDER

Adopted: November 4, 2002

Released: November 5, 2002

By the Chief, Media Bureau:

1. On September 12, 2002, the Commission adopted a Notice of Proposed Rulemaking (“*Notice*”) in the above-captioned proceeding.¹ The *Notice* commences the Commission’s third biennial review of its broadcast ownership rules. The current deadlines to file comments and reply comments in this proceeding are December 2, 2002, and January 2, 2003, respectively.

2. Six petitions have been filed asking the Commission to extend the comment and reply comment deadlines in this proceeding.² In four of the petitions, the parties ask us to extend the comment

¹ *In the Matter of 2002 Biennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, Cross-Ownership of Broadcast Stations and Newspapers, Rules and Policies Concerning Multiple Ownership of Radio Broadcast Stations in Local Markets, Definition of Radio Markets*, FCC 02-249 (MB Docket No. 02-277), released September 24, 2002 (“*Notice*”).

² Petitions to extend the comment and reply deadlines have been filed by the Network Affiliated Stations Alliance (“NASA”), on October 28, 2002; the Department of Public Employees, AFL-CIO (“DPE”) on October 23, 2002; The Newspaper Guild – CWA, Writers Guild of America East, American Federation of Television and Radio Artists, Seattle Times, Consumer Federation of America, Association of Independent Video and Filmmakers, and Center for Digital Democracy (“Newspaper Guild, *et. al.*”) on October 22, 2002; the National Organization for Women and Office of Communication, Inc. of United Church of Christ (“NOW *et al.*”) on October 22, 2002; the Minority Media and Telecommunications Council and National Association of Black Owned Broadcasters (“MMTC/NABOB”), on October 9, 2002; and Nickolaus E. Leggett (“Leggett”), on September 26, 2002.

period an additional 60 days, with replies due 60 days thereafter.³ NASA asks to extend the comment period an additional 60 days, with replies due 30 days thereafter;⁴ Leggett asks to extend the comment period an additional 120 days, with replies due 90 days thereafter.⁵ The petitioners assert, among other things, that they need time to conduct, and incorporate into their comments, empirical studies and/or gather economic and market data about the many issues raised in the *Notice*. NABOB/MMTC raises other issues in its petition that we do not address in this Order.⁶

3. Comments on the petitions were filed by Media General and Tribune.⁷ Media General contends that review of the newspaper/broadcast cross-ownership rule is long overdue, and that any extension of the comment filing deadlines will unnecessarily delay the proceeding, particularly with respect to the newspaper/broadcast cross-ownership rule. Tribune opposes granting an extension with respect to the newspaper/broadcast rule, and asks that the Commission take action separately on the newspaper/broadcast cross-ownership rule if it grants an extension.

4. We believe that the public interest would be best served by granting an extension of comment and reply comment filing deadlines. The *Notice* asks for submission of detailed policy proposals, legal arguments and empirical studies to assist the Commission in evaluating its broadcast rules and the interrelationships among them. We agree that more time will assist the parties in gathering and analyzing evidence that will enable them to provide such material and facilitate the Commission's decision-making with respect to the important and complex public policy issues raised in this proceeding. At the same time, we are cognizant of concerns, such as those expressed by Media General, that we do not unduly delay the proceeding. Accordingly, we will grant only a thirty-day extension. The new deadline for comments is January 2, 2003. The deadline for replies is February 3, 2003.

5. Accordingly, IT IS ORDERED that petitioners' Motions to extend the comment and reply comment periods in the above-captioned proceeding ARE GRANTED in part, as discussed in this Order, and otherwise ARE DENIED.

6. IT IS FURTHER ORDERED that the deadline for filing comments in this proceeding IS EXTENDED to January 2, 2003.

7. IT IS FURTHER ORDERED that the deadline for filing reply comments in this proceeding IS EXTENDED to February 3, 2003.

FEDERAL COMMUNICATIONS COMMISSION

³ Newspaper Guild, *et al.* Petition at 1, 3; DPE Petition at 1-2; NOW, *et al.* Petition at 1, 3; MMTC/NABOB Petition at 2-6.

⁴ NASA Petition at 1.

⁵ Leggett Petition at 3.

⁶ The MMTC/NABOB Petition also asks the Commission to: incorporate into the record certain broadcast-related studies on minority ownership; include the attribution rules for evaluation in the proceeding; and reaffirm that minority ownership is central to any structural ownership rulemaking. These issues, which are unrelated to its request to extend the comment and reply comment deadlines, remain pending with the Commission and will be addressed separately.

⁷ Media General, Inc. ("Media General") filed its "Opposition to Motion for Revision of Procedural Dates" on October 21, 2002; Tribune Company ("Tribune") filed its "Comments on Requests for Extension of Time" on October 31, 2002.

W. Kenneth Ferree
Chief, Media Bureau