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FCC Pulls Ownership Off Agenda

By John Eggerton -- Broadcasting & Cable, 7/14/2005 8:39:00 AM

The FCC pulled media ownership off its meeting agenda Thursday to debate the issue some more.

The commission had been scheduled to start the ball rolling Thursday on its review of media ownership rules remanded to it by a Philadelphia appeals court.

Those rules include broadcast/newspaper crossownership, radio multiple ownership and the definition of market concentration.

Explaining the move, FCC Chairman Kevin Martin said: "We were still debating some of the issues back and forth about how much time for comment, what we should do about making sure there is adequate public input. So we're still debating some of the issues."

Martin is said to have been willing to hold five hearings, spend \$200,000 on studies (twice what Powell spend on his media ownership studies), and hold a 120-day comment period.

Democratic Commissioner Jonathan Adelstein didn't want to talk specific deal points, but he told B&C his concerns were that the rules should be put out for public comment, and all of a piece rather than in a scattershot fashion, and that there be sufficient time and opportunity for that public to comment.

He said that he recognized that the industry needs certainty and the commission needs to move fast, but rather than just a broad notice asking questions, he wants to make sure that the public has a chance to see and comment on what the FCC specifically proposes to do, pointing out that the Philadelphia Appeals court in remanding the original rules back to the FCC suggested that the commission had erred in not putting those out for comment (as Adelstein had wanted).

Jeff Chester, of media activist group Center for Digital Democracy, said that whenever the rules are considered, that should include "a series of public hearings led by [Martin] across the country (in small and large markets); a research agenda conducted by independent academics unaffiliated with any side of the debate; a reasonable period for the public to comment on any proposed rules."

Andrew J. Schwartzman of the Media Access Project, which was instrumental in getting the FCC's rewrite of ownership rules stayed, then remanded, saw the decision to pull the item as a positive sign that the commissioners were trying to work through the best way to proceed. "I assume they will work it out and have it on the August meeting," he said.

For his part, the chairman told reporters after the meeting that he wasn't sure when it would be teed up. " We have been working hard on trying to end up addressing the media ownership issue. We're trying to move aggressively on trying to start up a new proceeding and we'll continue working on the issues. But there hasn't been another date [set]".

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