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FCC's Martin Seen Likely To Soon Release Media-Ownership Plan

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WASHINGTON - (Dow Jones)- Federal Communications Commission Chairman Kevin Martin is expected to unveil his plans for reforming the agency's media ownership rules as soon as Tuesday, which could pave the way for the proposed sale of Tribune Co. (TRB) to receive regulatory approval.

According to several commission and industry sources, Martin is likely to call for a relaxation of the cross-media ownership ban, although not likely a complete scrapping of the ban.

"My understanding is that he is going to move forward (on) this, perhaps as early as tomorrow (Tuesday)," said an FCC official, speaking on the usual condition of anonymity.

The rules currently prohibit one company from owning both a newspaper and radio or television station in one market. Martin has long favored getting rid of this rule, but isn't likely to recommend its complete removal due to the political backlash he would face if he did.

Analysts and commission officials say that he could propose a rule that would allow a company to control both a newspaper and radio or television stations only in the largest markets, for example.

Or he could apply a formula similar to the one used when one company wants to own more than one television station in a single market.

That formula states that as long as there are at least eight other independent stations in that market, and as long as the two stations that would be owned aren't both one of the big four network broadcasters, then a company is allowed to own two stations in a market.

That rule, or a similar version of it, could be applied to the cross-media ownership rules.

For Tribune Co. - which currently has waivers from the cross-ownership rule in five markets nationally where it owns both newspapers and television stations - any of these solutions would enable it to receive the necessary regulatory approvals and conclude its sale to real estate magnate Sam Zell.

Any compromise version of the reform proposed by Martin's office would be aimed at addressing the concerns of public-interest groups and others opposed to the rule change.

"We don't think any change is justified. The market data overwhelmingly shows that there's no justification for changing the rules," said Andrew Schwartzman, president of Media Access Project, a public-interest group.

Martin's office declined a request to be interviewed for this article.

Last month, agency officials revealed a plan put forward by Martin that would expedite the media-ownership review and conclude it by the end of the year. According to that timetable, he would publicly reveal his reform plans this week, leaving a month for public comment before FCC panel members voted on the proposal on Dec. 18.

Since that timing was made public, Martin has faced considerable backlash both from the Democratic members of the FCC - Michael Copps and Jonathan Adelstein - as well as from both Democratic and Republican lawmakers on Capitol Hill.

There are some doubts as to whether, in the face of this concerted pressure, Martin will be able to secure the votes necessary to push his reform plans through on his timetable.

If the media-ownership review isn't concluded this year, then it means the Tribune Co. would need its five waivers renewed so that Zell could take over the broadcast licenses the Tribune currently controls.

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A spokesman for the Tribune wouldn't comment for this article.

"The Tribune deal is still in limbo, as that one is directly affected by changes in the actual cross-ownership rules," said Blair Levin, a telecommunications analyst at Stifel Nicolaus in a research note last week. "We suspect it could be held in limbo until there is an understanding between Chairman Martin and the Hill as to how to proceed as a matter of timing on the broader policy."

Analysts and commission staffers also believe that Martin is likely to propose some rules that would be aimed at helping women and minority groups getting easier access to the airwaves, although details of what he is likely to propose here are not known.

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