



Federal Communications Commission
Washington, D.C. 20554

January 27, 2004

Marcia M. Waldron, Clerk
United States Court of Appeals for the Third Circuit
21400 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1790

Re: Prometheus Radio Project et al. v. FCC & USA,
No. 03-3388 (and consolidated cases)

Dear Ms. Waldron:

Respondents Federal Communications Commission and United States of America plan to divide the 90 minutes of argument time allocated to them by this Court's January 8, 2004, order, as follows:

1. FCC General Counsel John A. Rogovin plans to argue for 35 minutes. He will focus on the overarching issues presented in the case, including the standard of review and the effect of recent legislation on issues relating to the national television ownership limit.
2. FCC Associate General Counsel Jacob M. Lewis plans to argue for 45 minutes. He will focus on the remaining issues, including issues relating to the local television, local radio, and cross-media ownership rules.

Respondents have agreed to cede five minutes each to (1) Richard E. Wiley, representing Newspaper Association of America, Belo Corp., Gannett Co., Inc., and Morris Communications Company, LLC, who will argue in support of the FCC's decision to eliminate the ban on common ownership of newspapers and broadcast stations in local markets; and (2) Barry H. Gottfried, representing Univision Communications Inc. and Paxson Communications Corporation, who will argue in support of the FCC's decision concerning the "UHF discount."

Sincerely,

Nandan M. Joshi
Counsel

cc: Counsel of record