

*Comparison of Changes in
FCC Media Ownership Rules, 2003-Present*

Media Ownership Rule	Pre-2003 Rules	2003 Changes	2008 Changes	3 ^d Circuit (2011)
Local Television Ownership Rule	<p>One entity may own up to two TV stations in the same DMA if:</p> <p>(1) the Grade B contours of the stations do not overlap;</p> <p>(2) at least one of the stations is not among the top four ranked TV stations in the market; and</p> <p>(3) at least eight independently owned and operating commercial or non-commercial full power TV stations would remain in the DMA.</p>	<p>In markets with five or more TV stations, a company may own two stations, provided that only one of these stations is among the top four in ratings.</p> <p>In markets with 18 or more TV stations, a company may own three TV stations, provided that only one of these stations is among the top four in ratings.</p> <p>A waiver process for markets with 11 or fewer TV stations in which two top four stations seek to merge.</p>	<p>FCC rejects the 2003 rules and retains the pre-2003 rules.</p>	<p>Affirmed 2008 changes.</p>

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Local Radio Ownership Rule	<p>Radio ownership caps determined by the size of the market as defined by contour overlap methodology.</p> <p>A licensee may own anywhere from five commercial radio stations in smaller markets with 14 or fewer radio stations (subject to certain limitations), not more than three of which are in the same service (i.e., AM or FM) and up to eight commercial radio stations, not more than five of which are in the same service, in a radio market with 45 or more radio stations.</p>	<p>Retained the ownership caps.</p> <p>Divided radio markets into two markets for determining compliance with the ownership caps: (1) rated markets determined by Arbitron and BIA; and (2) unrated markets determined by contour overlap methodology.</p> <p>Modified the contour overlap methodology to reflect a more accurate accounting of radio stations in the market.</p>	FCC retained the 2003 changes.	Affirmed 2008 decision.
Dual Network Rule	Common ownership of multiple broadcast networks is permitted unless such networks are among the top four networks (<i>i.e.</i> , ABC, CBS, Fox, and NBC).	No changes.	No changes.	Affirmed 2008 decision.

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Newspaper/ Broadcast Cross Ownership Rule	<p>Prohibition of ownership or newspaper and full service broadcast station when the broadcast station’s service contour encompasses the newspaper’s city of publication.</p> <p>Some newspaper/television cross ownership combinations that existed prior to adoption of the NBCO ban allowed as grandfathered combinations; others granted as temporary waivers when part of a larger transaction.</p>	<p>In markets with three or fewer TV stations, cross-ownership prohibited. May request waiver.</p> <p>In markets with between four and eight television stations:</p> <p>(1) one entity may own radio, television and newspaper stations, but may not exceed 50% of either the local radio or local television ownership caps; or</p> <p>(2) a radio station group owner that owns a newspaper but which does not own any television stations may own up to 100% of the applicable radio cap; or</p> <p>(3) a television owner that owns a newspaper may not own a television duopoly in that market.</p> <p>In markets with nine or more television stations, one entity may own a newspaper and the maximum number of television and radio stations.</p>	<p>FCC rejects the 2003 changes.</p> <p>Instead, in the top 20 DMAs, one entity may own:</p> <p>(1) a newspaper and a radio station, or</p> <p>(2) a daily newspaper and one TV station, if the TV station is not ranked among the top four stations in the DMA and at least eight independent “major media voices” would remain in the DMA.</p> <p>Otherwise, the FCC presumes that a newspaper/broadcast station combination would not be in the public interest. The presumption may be rebutted by a showing of countervailing benefits of the proposed transaction demonstrating that the merged entity will increase the diversity of independent news outlets</p>	<p>Rejected the 2008 rules because the FCC failed to provide proper notice and comment of the changes.</p>

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Radio/Television Cross Ownership	<p>Allow common ownership of:</p> <p>(1) up to two TV stations and up to six radio stations (if otherwise permitted under the rules), or alternatively a combination of one TV station and seven radio stations, in a market where at least 20 independently owned media voices would remain post merger.</p> <p>(2) up to two TV stations and up to four radio stations (if otherwise permitted under the rules) in markets, where, post-merger, at least 10 independently owned media voices would remain.</p> <p>(3) two TV stations (as permitted under the local TV ownership rule) and one radio station is allowed regardless of the number of voices remaining in the market.</p>	<p>Prohibition of radio/television ownership in markets with three or fewer television stations.</p> <p>Two TV Stations (if permissible under the local TV ownership rule), and up to the radio station cap for a market with between 4 to 8 television stations.</p> <p>In markets with nine or more television stations, the maximum number of television and radio stations allowed under the Commission’s Rules.</p>	<p>FCC rejected the 2003 media ownership limits and retained the pre 2003 rules.</p>	<p>Affirmed 2008 decision.</p>