

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

In the Matter of	)	
	)	
The Commission's Cable Horizontal and Vertical Ownership Limits	)	MM Docket No. 92-264
	)	
Implementation of Section 11 of the Cable Television Consumer Protection and Competition Act of 1992	)	CS Docket No. 98-82
	)	
Review of the Commission's Regulations Governing Attribution of Broadcast and Cable/MDS Interests	)	MM Docket No. 94-150
	)	

**REPLY COMMENTS OF THE  
NATIONAL ASSOCIATION OF BROADCASTERS**

The National Association of Broadcasters ("NAB")<sup>1</sup> submits these brief reply comments in the above-captioned proceedings. NAB notes that all of the comments filed in response to Commission's *Further Notice of Proposed Rulemaking*<sup>2</sup> that address the single majority shareholder exemption support the Commission's tentative

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<sup>1</sup> The National Association of Broadcasters is a trade association that advocates on behalf of more than 8,300 free, local radio and television stations and also broadcast networks before Congress, the Federal Communications Commission and the Courts.

<sup>2</sup> See *Implementation of Section 11 of the Cable Television and Consumer Protection Act of 1992*, Fourth Report and Order and Further Notice of Proposed Rulemaking, FCC 07-219 (rel. Feb. 11, 2008) ("*Further Notice*").

conclusion that it should reinstate the exemption.<sup>3</sup> No commenter has advanced any arguments or presented any evidence opposing the exemption. In light of the overwhelming support for the exemption,<sup>4</sup> record evidence that the exemption does not affect the Commission's ability to identify interests that have influence over a licensee,<sup>5</sup> and the fact that the exemption facilitates needed investment in the broadcasting industry,<sup>6</sup> the Commission should determine that the public interest is best served by retaining the exemption.

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<sup>3</sup> See Comments of CBS Corporation in Support of Retention of the Single Majority Shareholder Exemption to the Broadcast Attribution Rules in MM Docket No. 92-264 *et al* (filed Mar. 28, 2008) ("CBS Comments"); Comments of Cox Enterprises, Inc. in MM Docket No. 92-264 *et al* (filed Mar. 28, 2008) ("Cox Comments"); Comments and Petition for Rulemaking of Fox Entertainment Group, Inc., NBC Universal, Inc., The Walt Disney Company and CBS Corporation in MM Docket No. 92-264 *et al* (filed Mar. 28, 2008) ("Fox *et al* Comments"); Comments of ION Media Networks, Inc. in MM Docket No. 92-264 *et al* (filed Mar. 28, 2008) ("ION Comments"). See also Comments of Comcast Corporation in MM Docket No. 92-264 *et al* (filed Mar. 28, 2008) ("Comcast Comments"); Comments of National Cable and Telecommunications Association in MM Docket No. 92-264 *et al* (filed Mar. 28, 2008) ("NCTA Comments") (supporting retention of the exemption in the cable attribution context).

<sup>4</sup> *Id.*

<sup>5</sup> See CBS Comments at 2-5 (observing that the New York Stock Exchange recently recognized a similar exemption); Cox Comments at 4-6; Fox *et al* Comments at 4; ION Comments at 4-5. See also Comcast Comments at 29-31; NCTA Comments at 21-23 (making similar arguments with respect the exemption for cable).

<sup>6</sup> See Cox Comments at 6 ("[t]he transition to digital television ... can offer viewers more choices, but only if broadcasters have the funding to make the necessary technological investments"); Fox *et al* Comments at 4 (exemption supports Commission's goal of ensuring that attribution rules do not impede the flow of capital to the broadcast industry; "[g]iven the nation's financial situation today, this goal is more important than ever for the health and vitality of broadcasting"); ION Comments at 5-7 (the exemption "provides tangible benefits that redound to the public interest" including preserving competitors in the media marketplace that are not co-owned with major programmers).

Respectfully submitted,

**NATIONAL ASSOCIATION OF  
BROADCASTERS**

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A handwritten signature in cursive script that reads "Marsha J. MacBride".

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Marsha J. MacBride  
Jane E. Mago  
Jerianne Timmerman  
Erin L. Dozier

April 14, 2008