



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET N.W.
WASHINGTON, D.C. 20554

FCC 95-201

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SECOND PHASE OF FOX PROCEEDING TO BE NON-RESTRICTED

On May 4, 1995, the Commission conditionally renewed Fox Television Stations' (Fox) license for station WNYW-TV in New York City. Fox Television Stations, Inc., FCC 95-188 (May 4, 1995). In its order, the Commission ruled that foreign ownership of Fox's parent company, Twentieth Holdings Corp. (THC), is above the 25% benchmark established by the Communications Act. Therefore, the Commission ordered Fox within no more than 45 days either to demonstrate, in accordance with Section 310(b)(4) of the Act, that it would be in the "public interest" for its foreign ownership level to exceed the benchmark or, to demonstrate to the Commission how and when it will bring its ownership structure into compliance with the benchmark. Because this case involves examination of the Section 310(b)(4) public interest question ten years after the applicant's initial authorization, the Commission particularly solicited comment on the costs or other impacts of achieving compliance and the extent to which achieving compliance would adversely affect the public interest. After Fox submits its election whether to proffer a public interest showing or to comply with the ownership benchmark, interested parties shall have 30 days to comment on Fox's election, and Fox may reply not later than 15 days thereafter.

The Commission has decided to treat the second phase of this proceeding as non-restricted in order to facilitate broad public participation. Accordingly, pursuant to section 1.1200 of the Commission's ex parte rules, 47 C.F.R. § 1.1200(a), the matters at issue in this part of the renewal proceeding will be treated as non-restricted. Specifically, ex parte presentations will be permitted as to any matters related to the Section 310(b)(4) determination, except during the sunshine agenda period, provided they are disclosed as specified in 47 C.F.R. § 1.1206(a). All other aspects of this proceeding will continue to be classified as restricted. Ex parte presentations thus are prohibited with respect to all other issues involved. See 47 C.F.R. § 1.1208.

Action by the Commission May 12, 1995, by Public Notice (FCC 95-201). Chairman Hundt, Commissioners, Quello, Barrett, Ness, and Chong.

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