



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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DA 12-153

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MEDIA BUREAU ACTION
COMMENT DATES ESTABLISHED FOR FOX PETITION FOR EXPEDITED WAIVER
OF 47 C.F.R. § 73.658(i), THE NETWORK REPRESENTATION RULE
MB Docket No. 12-31

Comment Date: March 7, 2012

Reply Comment Date: March 22, 2012

Fox Networks Group, Inc. (“Fox”), which intends to operate a Spanish-language broadcast television network and video programming service (MundoFox Broadcasting LLC, or “MundoFox”), has filed a petition on behalf of MundoFox’s “expected affiliate station partners” seeking a permanent waiver of Section 73.658(i) of the Commission’s rules (47 C.F.R. §73.658(i)). This “network representation rule” prohibits broadcast stations from being represented by their affiliated networks in the spot sales television advertising market.¹ Fox argues that this waiver is necessary to ensure a level playing field in the U.S. Spanish-language broadcast television market because the Commission previously granted permanent waivers of this rule to the operators of several competing Spanish-language networks.² It also argues that waiver of the rule is necessary for the same reasons that those earlier waivers were granted, including the likelihood that the growth of this new foreign language network will be hampered if the waiver is not granted. Fox also argues that consideration of this waiver should be expedited, because such waivers have been granted to similarly situated parties, there would be no harm to the public interest, and a delay in grant of this waiver would limit the ability of MundoFox to compete with incumbent Spanish-language broadcasters. We seek comment on this proposed waiver and request for expedited action.

¹ Fox Networks Group, Inc. Petition for Waiver of the Network Representation Rule and Request for Expedited Action at 1 (filed January 23, 2012).

² *Amendment of § 73.658(i) of the Commission’s Rules*, BC Docket No. 78-309, Report and Order, 5 FCC Rcd 7280 (1990) (granting permanent waivers of the rule to affiliates of Univision Communications, Inc. and Telemundo Group, Inc.); *Azteca International Corporation Petition for Waiver of Section 73.658(i) of the Commission’s Rules*, Broadcast Special Relief Petition BSR-001, Order, 18 FCC Rcd. 10662 (MB 2003) (granting a permanent waiver of the rule to affiliates of Azteca America); *Liberman Television LLC Petition for Waiver of Section 73.658(i) of the Commission’s Rules*, MB Docket No. 09-192, Order, 25 FCC Rcd. 4725 (MB 2010) (granting a permanent waiver of the rule to affiliates of Estrella); *Spanish Broadcasting System, Inc. Petition for Waiver of Section 73.658(i) of the Commission’s Rules*, MB Docket No. 10-89, Order, DA 11-2041 (MB rel. Dec. 20, 2011) (granting a permanent waiver of the rule to affiliates of MegaTV); *Mambo, LLC Petition for Waiver of Section 73.658(i) of the Commission’s Rules*, MB Docket No. 10-161, Order, DA 11-2039 (MB rel. Dec. 20, 2011) (granting a permanent waiver of the rule to affiliates of GenTV).

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated at the top of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
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For further information, contact Lyle Elder, (202) 418-2120 or Lyle.Elder@fcc.gov. Press inquiries should be directed to Janice Wise, (202) 418-8165 or Janice.Wise@fcc.gov.