

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

In the Matter of)
)
Amendment of Section 73.3555(e) of the) MB Docket No. 17-318
Commission's Rules, National Television Multiple)
Ownership Rule)
)

ORDER

Revised Comment Date: March 19, 2018
Revised Reply Comment Date: April 18, 2018

Adopted: February 12, 2018

Released: February 12, 2018

By the Chief, Media Bureau:

1. By this Order, the Media Bureau extends the deadlines for comments and reply
comments in the above-captioned rulemaking proceeding until March 19, 2018, and April 18, 2018,
respectively.

2. On December 14, 2017, the Commission adopted a Notice of Proposed Rulemaking
(NPRM) initiating a comprehensive review of the national television audience reach cap, including the so-
called UHF discount used by broadcasters to determine compliance with the cap.1 The Commission set
deadlines for filing comments and reply comments at 30 and 60 days, respectively, after publication of the
NPRM in the Federal Register.2 A summary of the NPRM was published in the Federal Register on
January 26, 2018, thus requiring comments and reply comments to be submitted by February 26, 2018,
and March 27, 2018, respectively.3 In addition to seeking comment on the initial question of the
Commission's authority to modify or eliminate the national audience reach cap and UHF discount, the
NPRM asks many complex factual and policy questions about changed market conditions, effects on
competition and diversity in local and national broadcast television broadcast markets, and the appropriate
methodology for determining compliance with any retained national cap.4 The NPRM also requests
analysis of the costs and benefits of modifying or eliminating the national cap and UHF discount,
supported by "relevant economic theory and evidence, including empirical analysis and data."5

3. On February 5, 2018, the National Association of Broadcasters (NAB) filed a motion
requesting an extension of time for filing comments and reply comments in response to the NRPM until

1 Amendment of Section 73.3555(e) of the Commission's Rules, National Television Multiple Ownership Rule, MB
Docket No. 17-318, Notice of Proposed Rulemaking (NPRM), FCC 17-169 (rel. Dec. 18, 2017).

2 NPRM at 1, para. 1.

3 See FCC, Amendment of Section 73.3555(e) of the Commission's Rules, National Television Multiple Ownership
Rule, Proposed Rule, 83 FR 3661 (Jan. 26, 2018). See also Amendment of Section 73.3555(e) of the Commission's
Rules, National Television Multiple Ownership Rule, MB Docket No. 17-318, Public Notice, DA 18-77 (rel. Jan. 29,
2018).

4 NPRM at 4, para. 7.

5 NPRM at 11, paras. 23-24.

March 28, 2018, and April 27, 2018, respectively.⁶ Pointing to the wide range of broadcasters in the TV industry, NAB asserts that all parties to the proceeding will benefit from additional time to address relevant issues and provide “up-to-date data and information about the current video marketplace.”⁷

4. The Commission’s policy is that motions for extensions of time are not routinely granted.⁸ Here, however, as acknowledged in the *NPRM*, the video marketplace has changed substantially since the Commission last reviewed the national audience reach cap in 2003,⁹ requiring a comprehensive review of whether a cap is still needed, and if so, where it should be set and how compliance with any remaining cap should be determined. Therefore, we agree with NAB that to compile a thorough and comprehensive record on these complex issues, an extension of time for filing comments and reply comments is appropriate. We believe, however, that extending the comment filing deadline to March 19, 2018, and reply comment deadline to April 18, 2018, will provide sufficient time for parties to file meaningful comments. Thus, we grant NAB’s motion in part.

5. Accordingly, **IT IS ORDERED** that, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Sections 0.61, 0.283, and 1.46 of the Commission’s rules, 47 CFR §§ 0.61, 0.283, and 1.46, the motion for extension of time filed by the National Association of Broadcasters **IS GRANTED IN PART**, and the deadlines for submission of comments and reply comments are extended to March 19, 2018, and April 18, 2018, respectively.

FEDERAL COMMUNICATIONS COMMISSION

Michelle M. Carey
Chief, Media Bureau

⁶ *Amendment of Section 73.3555(e) of the Commission’s Rules, National Television Multiple Ownership Rule*, MB Docket No. 17-318, Motion for Extension of Time (Motion), National Association of Broadcasters (Feb. 5, 2018).

⁷ Motion at 2.

⁸ See 47 CFR 1.46(a)

⁹ *NPRM* at 6, para. 11.