

October 5, 2010

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Notice of *Ex Parte* Presentation
Media Bureau Docket No. 07-57

Dear Ms. Dortch:

On this date, the undersigned, on behalf of Howard University, spoke by telephone with Marilyn Sonn of the FCC Chairman's office regarding the above referenced proceeding. The discussion focused on the University's concern regarding the possible adoption of a limitation on the number of set-aside channels that might be available to entities that hold licenses for individual full power broadcast stations. The Sirius XM set-aside commitment provides an opportunity to introduce new programming voices to consumers on a nationwide basis. In contrast, a license for one radio or television station provides the licensee with a programming voice that is inherently local in nature. Therefore, the possession of a single full power broadcast station license should not disqualify or limit an applicant from demonstrating its qualifications to program any of the Sirius XM set-aside channels.

The imposition of a limitation involving a single radio or television station could also inadvertently exclude or limit otherwise highly desirable applicants. Most major colleges and universities hold licenses for radio and/or television broadcast stations, many of which are licensed on a full power basis in commercial (non-educational) frequency bands. Further, some tribal organizations operate radio or television stations, the numbers of which the Commission is actively trying to increase.¹

In contrast, many companies that do not hold licenses for full power broadcast stations already provide programming services on a nationwide basis, such as producers of cable or satellite television programming and producers of Internet video programming. Therefore, a prohibition or limitation that is linked to the ownership of a single full power radio or television

¹ See *Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures*, FCC Order 10-24, MB Docket No. 09-52 (Feb. 3, 2010).

Marlene H. Dortch
Page 2

October 5, 2010

station arguably would not further the goals that are meant to be achieved, *i.e.*, the introduction of new programming voices on a nationwide basis.

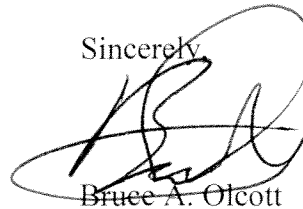
If the Commission does deem it appropriate to maintain a restriction or limitation that is applicable to full power broadcast station licensees, the undersigned on behalf of Howard University urged that the Commission apply the restriction or limitation solely to entities that own multiple radio stations or multiple television stations. Specifically, such a limitation should apply solely to entities that hold either:

- (1) more than one full power broadcast station in each service (*i.e.*, more than one full power FM, one full power AM, or one full power DTV station), or
- (2) more than one full power commercial broadcast station in any service.

Such an approach could help facilitate the Commission's goal of introducing new programming voices on a nationwide basis, while not inadvertently excluding or limiting otherwise qualified and potentially desirable applicants.

Thank you for your attention to this matter. Please let us know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce A. Olcott", is written over a large, loopy circular flourish.

Bruce A. Olcott