

MULTIPLE OWNERSHIP

Statement in Support of Application

By this application, Commission consent is sought to the transfer of control of Hispanic Broadcasting Corporation ("HBC") to Univision Communications Inc. ("UCI"). UCI, through affiliated entities, owns and operates the Spanish-language Univision Network and Telefutura Network programming services, as well as full power, Class A and low power television stations affiliated with those networks.

Americans of Hispanic origin represent the fastest growing major demographic segment of the U.S. population. According to estimates by the U.S. Census Bureau, the number of persons of Hispanic origin in the United States grew by 46.7% from 1990 through 2000 to 32,832,000.¹ Hispanic Americans now represent approximately 11.9% of the total population, up from 9.0% in just the last decade.²

Given this large and growing population, programming that serves the needs and interests of Spanish speakers is in great demand. Through its television stations, UCI has continuously worked to meet this demand. To that end, UCI has a tradition of providing high-quality national and local programming and outreach to Hispanic viewers. UCI has been particularly active in the areas of voter participation, education, and health.

The Univision Network and the UCI stations have a long tradition of conducting coordinated efforts during election campaigns to inform Hispanic viewers about the importance of registering to vote, the issues involved in particular elections, and the need for voter turn out on election day. Beyond news coverage, these campaigns have involved both on-air and non-broadcast components, such as producing and airing public service announcements on voter registration, conducting and airing candidate debates, airing special election issue editorials, airing countdown to election day voting reminder spots, and sponsoring voter registration drives and election-day transportation to polling places.

Similarly, in the area of health, the Univision Network and stations have utilized public affairs programming segments and public service announcements to inform Hispanic viewers about health risks affecting the Hispanic community, such as the growing rate of diabetes among Hispanics, and to raise awareness of important health-related topics, such as AIDS prevention,

¹ The Hispanic population is estimated to have grown from a base of 22,379,000 on April 1, 1990 to 32,832,000 on November 1, 2000, an increase of 10,543,000. Resident Population Estimates of the United States by Sex, Race, and Hispanic Origin: April 1, 1990 to July 1, 1999, with Short-Term Projection to November 1, 2000, Source: Populations Estimates Program, Population Div., U.S. Census Bureau, www.census.gov/population/www/estimates/nation3.html.

² Id.

drug and alcohol abuse issues, and teen pregnancy. Stations have sponsored and promoted blood and organ donor drives to increase donation, as well as Health Fairs in stations' local communities to further disseminate health-related information.

The stations also have been involved in a variety of educational campaigns designed to reduce the drop out rate among Hispanics and provide support for students trying to become the first generation in their families to finish high school or attend college. In these campaigns, the stations air public service announcements and public affairs segments that inform parents how to become involved in their children's education, and remind students and parents daily of the importance of completing homework assignments. The stations are also involved in outreach to the community, participating in school advisory panels and sponsoring scholarships for Hispanic students.

The HBC stations will provide a new component to increase the effectiveness of UCI public service efforts. In addition, the stations will provide additional local partners to support non-broadcast outreach efforts so that they may have an even greater local impact. Grant of the transfer of control to UCI will therefore assist in achieving the Commission's goal of furthering effective public service programming, and minority programming in particular.

In addition, HBC station employees will participate in UCI's educational advancement programs. As UCI employees, these individuals will be eligible to receive tuition assistance to further their career development. Employment at a UCI station will thus provide an entry-level employee with considerable opportunity to enhance his or her skills and seek advancement, not only within the station at which he or she is initially employed, but by moving to larger stations, other cities or even from one medium, radio or television, to the other. These expanded employment opportunities further the Commission's goals of increased minority participation in broadcasting and program diversity given that "as more minorities and women are employed in the broadcast industry, it is more likely that varying perspectives will be aired and that programming will be oriented to serve more diverse interests and needs than would be the case if stations employed few minorities and women."³

Accordingly, grant of the instant application, with its attendant programming and employment benefits, will serve the public interest.

³ Review of the Commission's Broadcast and Cable Equal Employment Opportunity Rules and Policies and Termination of the EEO Streamlining Proceeding, 15 FCC Rcd 2329 (2000).

Radio-Television Cross-Ownership

The instant transaction will create new radio-television combinations in 12 markets. As is shown below, each complies with the Commission's radio-television cross-ownership rule.⁴

The Commission's radio-television cross-ownership rule is triggered when the 2 mV/m contour of an AM radio station or the 1 mV/m contour of an FM radio station wholly encompasses the community of license of a television station to be commonly owned, or when the Grade A contour of a television station wholly encompasses the community of license of a radio station which is to be commonly owned with the television station. 47 C.F.R. § 73.3555(c)(1). Where the radio-television cross-ownership rule is triggered, a single entity may directly or indirectly own, operate, or control the following numbers of stations:

- (1) Up to two television stations and one radio station;
- (2) Two television stations and six radio stations or one television station and seven radio stations, if at least 20 independently owned media voices will remain in the market post consummation;
- (3) Up to two television stations and four radio stations, if at least 10 independently owned media voices will remain in the market post consummation.

47 C.F.R. § 73.3555(c)(2). The number of media voices present in the market includes all independently owned full power television stations operating in the DMA of the television station(s) that have Grade B signal contour overlap with the Grade B contour of the television station(s) at issue, all independently owned radio stations operating in the radio metro market in which the television and radio stations' communities of license are located, all independently owned out-of-market radio stations which receive a minimum share as reported by Arbitron or a comparable ratings service, and all English language newspapers that are published at least four days per week and have a circulation greater than 5% of the households in the television station's DMA. An additional voice is considered to be in the market if cable television is generally available in the market. 47 C.F.R. § 73.3555(c)(3).

⁴ As all of the television stations involved in this analysis are already owned by entities in which UCI holds attributable interests, their common ownership under the Commission's television duopoly and national audience reach rules has already been approved by the Commission. Similarly, all of the radio stations involved in this analysis are already owned by entities in which HBC holds attributable interests. Therefore, their common ownership has already been approved by the Commission. Accordingly, an examination of the television duopoly, national audience reach, and radio multiple ownership rules is not included herein.

Phoenix, Arizona

UCI owns television stations KTVW-TV, Phoenix, Arizona, and KFPH(TV), Flagstaff, Arizona located in the Phoenix DMA. HBC owns the following radio stations in the Phoenix radio metro market: KHOT-FM, Paradise Valley, Arizona, KOMR(FM), Sun City, Arizona and KHOV-FM, Wickenburg, Arizona. In addition, HBC owns stations KKMR(FM), Arizona City, Arizona, and KMRR(FM), Globe, Arizona, located outside of the Phoenix radio metro market.

As shown in Attachment A, the Grade A contour of KTVW-TV wholly encompasses the communities of Sun City and Paradise Valley. The 1 mV/m contour of KHOT-FM also encompasses the community of Phoenix. The Grade A contour of KTVW-TV does not encompass Wickenburg, Arizona City, or Globe. The 1 mV/m contours of KOMR(FM), KHOV-FM, KKMR(FM), and KMRR(FM) do not encompass Phoenix. The Grade A contour of KFPH(TV) does not encompass any of the radio station communities of license and none of the radio station 1 mV/m contours encompass Flagstaff. Accordingly, the cross-ownership rule is triggered with respect to KTVW-TV, KOMR(FM), and KHOT-FM.

A single entity may own or control one television and two radio stations where there are at least 10 voices remaining in the market post merger. As shown in Attachment A, there will be approximately 31 voices remaining post merger. Accordingly, a sufficient number of voices is present to permit the common ownership of these stations.

Hanford, California

UCI owns television station KFTV(TV), Hanford, California. HBC owns radio station KZOL(FM), Merced, California, which currently has pending an application to effectuate a change in its community of license to North Fork, California.

As shown in Attachment B, the Grade A contour of KFTV(TV) encompasses the community of North Fork, California. Accordingly, the cross-ownership rule is triggered with respect to KFTV(TV) and KZOL(FM). A single entity may own or control one television and one radio station in any market. Accordingly, common ownership of these stations is permitted.

Los Angeles, California

UCI owns television stations KMEX-TV, Los Angeles, California, and KFTR(TV), Ontario, California, located in the Los Angeles DMA. HBC owns the following radio stations in the Los Angeles radio metro market: KLVE(FM), Los Angeles, California, KRCD(FM), Inglewood, California, KRCV(FM), West Covina, California, KSCA(FM), Glendale, California, and KTNQ(AM), Los Angeles, California.

As shown in Attachment C, the Grade A contours of KMEX-TV and KFTR(TV) wholly encompass all of the radio station communities of license. In addition, the 1 mV/m contours of KLVE(FM) and KSCA(FM), and the 2 mV/m contour of KTNQ(AM), wholly encompass the communities of Los Angeles and Ontario. Finally, KRCV(FM) wholly encompasses the

community of Ontario. Accordingly, the cross-ownership rule is triggered with respect to all of the stations.

A single entity may own or control two television and five radio stations where there are at least 20 voices remaining in the market post merger. As shown in Attachment C, there will be at least 49 voices remaining post merger. Accordingly, a sufficient number of voices is present to permit the common ownership of these stations.

San Francisco/San Jose, California

UCI owns television stations KDTV(TV), San Francisco, California, and KFSF(TV), Vallejo, California, located in the San Francisco-Oakland-San Jose DMA. HBC owns the following radio stations located in the San Francisco radio metro market: KEMR(FM), San Francisco, California, and KSOL(FM), Santa Clara, California. It is noted that Santa Clara County is also assigned to the San Jose radio metro market.

As shown in Attachment D, the Grade A contours of KDTV(TV) and KFSF(TV) wholly encompass the community of San Francisco. The 1 mV/m contour of KEMR(FM) wholly encompasses the communities of San Francisco and Vallejo. In addition, the Grade A contour of KDTV(TV) wholly encompasses the community of Santa Clara. Accordingly, the cross-ownership rule is triggered with respect to all of the stations creating the following combinations: (1) KDTV(TV), KFSF(TV), and KEMR(FM); (2) KDTV(TV), KEMR(FM) and KSOL(FM) in the San Francisco radio metro market; and (3) KDTV(TV) and KSOL(FM) in the San Jose radio metro market.

A single entity may own or control one television and one radio station in any market. In addition, a single entity may own or control up to two television stations and two radio stations where there are at least 10 voices remaining in the market post merger. As shown in Attachment D, there will be at least 23 voices remaining post merger in both the San Francisco and San Jose radio metro markets. Accordingly, common ownership of these stations is permitted.

Miami, Florida

UCI owns WLTV(TV), Miami, Florida, and WAMI-TV, Hollywood, Florida, located in the Miami-Fort Lauderdale DMA. HBC owns the following stations located in the Miami-Fort Lauderdale-Hollywood radio metro market: WQBA(AM), Miami, Florida, WAMR-FM, Miami, Florida, WAQI(AM), Miami, Florida, and WRTO-FM, Goulds, Florida.

As shown in Attachment E, the Grade A contours of WLTV(TV) and WAMI-TV wholly encompass the communities of Miami and Goulds. In addition, the 1 mV/m contours of WAMR-FM and WRTO-FM, and the 2 mV/m contours of WQBA(AM) and WAQI(AM), wholly encompass the communities of Miami and Hollywood. Accordingly, the cross-ownership rule is triggered with respect to all of the stations.

A single entity may own or control two television and four radio stations where there are at least 10 voices remaining in the market post merger. As shown in Attachment E, there will be approximately 35 voices remaining post merger. Accordingly, a sufficient number of voices is present to permit the common ownership of these stations.

Chicago, Illinois

UCI owns television stations WGBO-TV, Joliet, Illinois, and WXFT(TV), Aurora, Illinois, located in the Chicago DMA. HBC owns the following radio stations located in the Chicago radio metro market: WIND(AM), Chicago, Illinois, WLXX(AM), Chicago, Illinois, and WOJO(FM), Evanston, Illinois.

As shown in Attachment F, the Grade A contours of WGBO-TV and WXFT(TV) wholly encompass all of the radio station communities of license. In addition, the 2 mV/m contours of WIND(AM) and WLXX(AM) wholly encompass the communities of Joliet and Aurora. Accordingly, the cross-ownership rule is triggered with respect to all of the stations.

A single entity may own or control two television and three radio stations where there are at least 10 voices remaining in the market post merger. As shown in Attachment F, there will be approximately 51 voices remaining post merger. Accordingly, a sufficient number of voices is present to permit the common ownership of these stations.

New York, New York

UCI owns television stations WXTV(TV), Paterson, New Jersey, and WFUT(TV), Newark, New Jersey,⁵ located in the New York DMA. HBC owns the following radio stations located in the New York radio metro market: WADO(AM), New York, New York, and WCCA(FM), Newark, New Jersey.

As shown in Attachment G, the Grade A contours of WXTV(TV) and WFUT(TV) wholly encompass the communities of New York and Newark. In addition, the 2 mV/m contour of WADO(AM) and the 1 mV/m contour of WCCA(FM) wholly encompass the communities of Paterson and Newark. Accordingly, the cross-ownership rule is triggered with respect to all of the stations.

A single entity may own or control two television and two radio stations where there are at least 10 voices remaining in the market post merger. As shown in Attachment G, there will be at least 23 television, newspaper and cable voices remaining post merger. Accordingly, a sufficient number of voices is present to permit the common ownership of these stations.

⁵ It is noted that UCI also owns television station WFTY(TV), Smithtown, New York, which operates as a satellite of WFUT(TV). Pursuant to Note 5 to Section 73.3555 of the Commission's rules, the cross-ownership rule does not apply to satellite stations.

Austin, Texas

UCI is the winning high bidder and applicant for a new television station on Channel 52 at Blanco, Texas, located in the Austin DMA. HBC owns KCOR-FM, Comfort, Texas, located in the San Antonio radio metro market.

As shown on Attachment H, the 1 mV/m contour of KCOR-FM wholly encompasses the community of Blanco. Accordingly, the cross-ownership rule is triggered with respect to the Blanco application and KCOR-FM. A single entity may own or control one television and one radio station in any market. Accordingly, common ownership of these stations is permitted.

Dallas-Fort Worth, Texas

UCI owns KUVN(TV), Garland, Texas, and KSTR-TV, Irving, Texas, located in the Dallas-Fort Worth DMA. HBC owns the following radio stations located in the Dallas-Fort Worth radio metro market: KDXT-FM, Granbury, Texas, KDXX-FM, Lewisville, Texas, KHCK(AM), Dallas, Texas, KHCK-FM, Denton, Texas, KESS(AM), Fort Worth, Texas, and KLNO(FM), Fort Worth, Texas. It is noted that KDXT-FM has a construction permit to effectuate a change in community of license to Benbrook, Texas.

As shown in Attachment I, the Grade A contours of KUVN(TV) and KSTR-TV wholly encompass the communities of Lewisville, Dallas, Benbrook and Fort Worth. In addition, the 1 mV/m contours of KDXX-FM and KLNO(FM), and the 2 mV/m contours of KESS(AM) and KHCK(AM), wholly encompass the communities of Garland and Irving. The Grade A contours of KUVN(TV) and KSTR-TV do not wholly encompass the communities of Granbury or Denton, nor do the 1 mV/m contours of KDXT-FM and KHCK-FM wholly encompass the communities of Garland and Irving. Accordingly, the cross-ownership rule is triggered with respect to KUVN(TV), KSTR-TV, KDXX-FM, KLNO(FM), KDXT-FM (CP), KESS(AM), and KHCK(AM).

A single entity may own or control two television and five radio stations where there are at least 20 voices remaining in the market post merger. As shown in Attachment I, there will be at least 36 voices remaining post merger. Accordingly, a sufficient number of voices is present to permit the common ownership of these stations.

Houston-Galveston, Texas

UCI owns television station KXLN(TV), Rosenberg, Texas, and KFTH(TV), Alvin, Texas, located in the Houston DMA. HBC owns the following radio stations located in the Houston-Galveston radio metro market: KLAT(AM), Houston, Texas, KLTN(FM), Houston,

Texas, KLTO(FM), Galveston, Texas, KPTY(FM), Rosenberg, Texas, KOVE-FM, Galveston, Texas, KRTX(AM), Rosenberg-Richmond, Texas, and KLAT-FM, Winnie, Texas.⁶

As shown on Attachment J, the Grade A contours of KXLN(TV) and KFTH(TV) wholly encompass the communities of Houston and Rosenberg. In addition, the 1 mV/m contour of KOVE-FM and KLTN(FM) and the 2 mV/m contour of KRTX(AM) wholly encompass the communities of Rosenberg and Alvin. Neither the KXLN(TV) nor KFTH(TV) Grade A contour wholly encompasses Galveston, and the KLTO(FM), KPTY(FM) and KLAT-FM 1 mV/m contours do not encompass either Rosenberg or Alvin. Accordingly, the cross-ownership rule is triggered with respect to KXLN(TV), KFTH(TV), KLAT(AM), KLTN(FM), KPTY(FM), KOVE-FM, and KRTX(AM).

A single entity may own or control two television and five radio stations where there are at least 20 voices remaining in the market post merger. As shown in Attachment J, there will be at least 38 voices remaining post merger. Accordingly, a sufficient number of voices is present to permit the common ownership of these stations.

San Antonio, Texas

UCI owns KWEX-TV, San Antonio, Texas, located in the San Antonio DMA. HBC owns the following radio stations located in the San Antonio radio metro market: KROM(FM), KXTN(AM), KXTN(FM), KCOR(AM), all licensed to San Antonio, Texas, KBBT-FM, Schertz, Texas, and KCOR-FM, Comfort, Texas. In addition, HBC is the proposed assignee of station KVCQ(FM), Cuero, Texas, which has pending an application to effectuate a change in its community of license to McQueeney, Texas.

As shown in Attachment K, the Grade A contour of KWEX-TV wholly encompasses the communities of San Antonio, Schertz and McQueeney. In addition, the 1 mV/m contours of KROM(FM) and KXTN-FM, and the 2 mV/m contours of KXTN(AM) and KCOR(AM), wholly encompass the community of San Antonio. The KWEX-TV Grade A contour does not encompass the communities of Comfort or Cuero. In addition, the 1 mV/m contours of KCOR-FM, KVCQ(FM) and KBBT-FM do not wholly encompass San Antonio. Accordingly, the cross-ownership rule is triggered with respect to stations KWEX-TV, KROM(FM), KXTN(AM), KXTN-FM, KBBT-FM, KCOR(AM), and KVCQ(FM) (App).

A single entity may own or control one television and six radio stations where there are at least 20 voices remaining in the market post merger. As shown in Attachment K, there will be approximately 31 voices remaining post merger. Accordingly, a sufficient number of voices is present to permit the common ownership of these stations.

⁶ In addition, HBC owns radio station WQBU-FM, Port Arthur, Texas in the Beaumont - Port Arthur radio metro market. However, WQBU-FM's 1 mV/m contour does not encompass either Rosenberg or Alvin, and the Grade A contours of KXLN(TV) and KFTH(TV) do not wholly encompass Port Arthur.

Waco-Temple-Bryan, Texas

UCI owns television station KAKW(TV), Killeen, Texas, located in the Waco-Temple-Bryan DMA. HBC owns radio station KDOS-FM, Robinson, Texas, in the Waco radio metro market.

As shown in Attachment L, the Grade A contour of KAKW(TV) wholly encompasses the community of Robinson. Accordingly, the cross-ownership rule is triggered with respect to KAKW(TV) and KDOS-FM. A single entity may own or control one television and one radio station in any market. Accordingly, common ownership of these stations is permitted.