

MULTIPLE OWNERSHIP

By the instant application, Telefutura Television Group, Inc. (“Telefutura”) seeks Commission consent to the assignment of license of KFTL(TV), Stockton, California, located in the Sacramento-Stockton-Modesto, California DMA. Univision Communications Inc. (“UCI”), the parent of Telefutura, currently holds an attributable interest in KUVS(TV), Modesto, California, which is also licensed to the Sacramento-Stockton-Modesto DMA. As detailed below, UCI’s ownership of two television stations in the market is permitted under the Commission’s Rules as eight or more independently owned and operating television stations would remain in the market following UCI’s acquisition of KFTL.

In addition, UCI has applications pending before the FCC seeking consent to the transfer of control of Hispanic Broadcasting Corporation (“HBC”) to UCI. See FCC File Nos. BAL-20020723ABL, et al. HBC currently has an application pending seeking consent to the assignment of KNGT(FM), Jackson, California to HBC. Thus, once the proposed merger between UCI and HBC is approved and consummated, and once HBC’s acquisition of KNGT(FM) is completed, UCI will hold an attributable interest in FM radio station KNGT(FM), which is located in the Sacramento-Stockton-Modesto market.¹ As detailed below, this combination of two television stations and a radio station complies with the Commission’s rules.

I. Television Duopoly Section 73.3555(b)

The FCC’s television duopoly rule permits a single entity to directly or indirectly own, operate, or control two television stations in the same DMA under two circumstances:

- (1) Where the Grade B contours of the stations do not overlap, or
- (2) (i) at the time of the filing of the application, at least one of the stations is not among the top four ranked stations in the market, based on the most recent all-day (9:00 a.m.– midnight) audience share as measured by Nielsen Media Research or a comparable ratings service, and (ii) at least 8 independently owned and operating full-power commercial and non-commercial television stations will remain following the merger of the two stations.

47 C.F.R § 73.3555(b).

Upon consummation of the instant transaction, UCI will have attributable ownership interests in KFTL(TV), Stockton, California, and KUVS(TV), Modesto, California, both located

¹ As the Commission is aware, as part of the HBC merger, UCI will eliminate any attributable interest that it may have in Entravision Communications Corporation (“Entravision”), and Entravision’s station are therefore not considered in the analysis herein.

in the Sacramento-Stockton-Modesto market. As detailed in Attachment 1 hereto, 9 independently owned and operated television stations will remain following the assignment of KFTL to Telefutura. Furthermore, neither KUVS nor KFTL are among the top four ranked stations in the market. Accordingly, UCI's ownership of an attributable interest in both stations complies with the television duopoly rule.

II. Radio-Television Cross-Ownership

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).

As detailed above, UCI currently has applications pending seeking Commission consent to the transfer of control of HBC to UCI, and HBC has an application pending seeking to acquire KNGT(FM), Jackson, California. Upon Commission approval and consummation of these various transactions, UCI will hold an attributable interest in radio station KNGT(FM). The Grade A contour of KUVS wholly encompasses Jackson, however, the ownership of two television stations and one radio station is permitted pursuant to Section 73.3555(c)(2) of the

Commission's Rules. Therefore, UCI's ownership of an attributable interest in these three stations complies with the Commission's Rules.