

## **MEDIA OWNERSHIP RULE COMPLIANCE**

This application seeks Commission consent to the acquisition by Nexstar Broadcasting, Inc. (collectively with its affiliates, “Nexstar”) of the licenses of television stations WJZY(DT), Belmont, North Carolina and WMYT-TV, Rock Hill, South Carolina. WJZY (a FOX affiliate) and WMYT-TV (a MyNetworkTV affiliate) are both located in the Charlotte, North Carolina Nielsen DMA. This exhibit demonstrates the proposed assignment’s compliance with the local and national television ownership rules.

### **Local Television Ownership Rule**

“*Top Four*” *Component*: Based on Nielsen audience share data for the Charlotte DMA, Persons 12+, 9am-12mid, for the period October 3-November 5, 2019, station WMYT-TV is not ranked among the top four stations in the DMA. Accordingly, the proposed assignment complies with the Commission’s local television ownership rule as in effect as of the time of the filing of this application.<sup>1</sup>

“*Voices*” *Component*: Though the U.S. Court of Appeals for the Third Circuit issued an opinion in September 2019 vacating the *Reconsideration Order*,<sup>2</sup> the mandate in that case has not yet issued, and thus the *Reconsideration Order* remains in effect.<sup>3</sup> Accordingly, the local television ownership rule as currently in effect does not include the so-called “eight voices” test. In an abundance of caution, however, the chart below demonstrates that nine independent full-power television “voices” will remain in the Charlotte DMA after consummation of the proposed assignment.

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<sup>1</sup> 47 C.F.R. §73.3555(b) *see also* 2014 Quadrennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act et al., Order on Reconsideration and Notice of Proposed Rulemaking, 32 FCC Rcd 9802 (2017) (“*Reconsideration Order*”).

<sup>2</sup> *See Prometheus Radio Project v. FCC*, 939 F.3d 567 (3d Cir. 2019), petitions for rehearing en banc pending.

<sup>3</sup> *See Consent to Assign Certain Licenses from Red River Broadcast Co., LLC to Gray Television License, LLC*, Memorandum Opinion and Order, DA 19-943, ¶ 17 (Med. Bur. Sept. 24, 2019).

CHARLOTTE, NC TV DMA <sup>4</sup>				
	CALL	COMMUNITY OF LICENSE	NETWORK	OWNER
1.	WSOC-TV WAXN-TV	Charlotte, NC Kannapolis, NC	ABC Ind.	Cox Media Group
2.	WCNC-TV	Charlotte, NC	NBC	TEGNA
3.	WBTV	Charlotte, NC	CBS	Gray Television Inc.
4.	WCCB	Charlotte, NC	CW	Bahakel Communications
5.	WMYT-TV WJZY	Rock Hill, SC Belmont, NC	My FOX	Fox Television [ <i>PROPOSED NEXSTAR ACQUISITION</i> ]
6.	WHKY-TV	Hickory, NC	Ind.	Long Communications LLC
7.	WNSC-TV	Rock Hill, SC	PBS	South Carolina ETV Commission
8.	WTVI	Charlotte, NC	PBS	Central Piedmont CC
9.	WUNE-TV WUNG-TV	Linville, NC Concord, NC	EXP PBS	University of North Carolina

### **National Television Ownership Rule**

Nexstar currently has attributable interests in stations that reach 38.2485% of the national television audience, as calculated in accordance with Section 73.3555(e) of the FCC's rules based on TV household data from The Nielsen Company (US), LLC.<sup>5</sup> Concurrently herewith, Nexstar is filing applications for consent to assign the licenses of its television stations in the Seattle, WA and Milwaukee, WI DMAs (KCPQ(DT), Tacoma, WA, KZJO(DT), Seattle, WA, and WITI(DT), Milwaukee, WI) to Fox Television Stations, LLC, the Assignor herein. The prior or concurrent consummation of the Seattle/Milwaukee transaction is a condition to the closing of the instant assignment. Upon the closing of both transactions, Nexstar will have an attributable interest in television stations reaching 36.7345% of the national audience.

<sup>4</sup> Source: BIA Advisory Services, LLC, *Investing in Television 2019*, 3<sup>rd</sup> Edition.

<sup>5</sup> See The Nielsen Company (US), LLC, Local Television Market Universe Estimates (effective Sept. 28, 2019), <https://www.nielsen.com/wp-content/uploads/sites/3/2019/09/2019-20-dma-ranker.pdf>.