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TRANSPORTATION
AND INFRASTRUCTURE

CHAIRMAN,
AVIATION

COAST GUARD AND MARITIME
TRANSPORTATION

HIGHWAYS AND TRANSIT



Congress of the United States
House of Representatives

Washington, DC 20515-3002

February 11, 2014

ARMED SERVICES
TACTICAL AIR AND LAND FORCES
READINESS
HOUSE PERMANENT SELECT
COMMITTEE ON INTELLIGENCE
TECHNICAL AND TACTICAL INTELLIGENCE
TERRORISM, HUMINT, ANALYSIS AND
COUNTERINTELLIGENCE (THACI)

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The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street Southwest
Washington, DC 20554-0004

Dear Chairman Wheeler:

I am writing to express concern with the recent sales of small-market television broadcast stations in relation to spectrum speculation and to request information from the Federal Communication Commission (FCC) on the factors that are considered during the sale of a small-market television broadcast stations.

As you well know, television stations in small-markets serve a critical and essential function for the public. With the recent sale of several small-market television stations (such as WYCN-TV in Nashua, NH and WMGM-TV in Atlantic City, NJ), concerns have been raised that the purchasers are not truly interested in serving the community or the survival of the station. Some have said the purchasers are accumulating small-market television stations only to speculate and profit from the spectrum available during the Broadcast Television Spectrum Incentive Auction. Should this be the case, it seems likely the speculator would sell the station immediately or even close the station post-auction.

For that reason, I am requesting the following information from the FCC:

- What criteria and procedure does the FCC utilize during the license transfer filing and approval process that identifies the intent of a purchaser as one intending to operate the station?
- What criteria and procedure does the FCC utilize during the spectrum auction to mitigate against spectrum speculation?
- What studies or evaluations has the FCC conducted regarding the potential effects of a spectrum auction (most specifically the Broadcast Television Spectrum Incentive Auction) upon television broadcast stations and the communities they serve? In addition, if such study or evaluation has been conducted, I am requesting the FCC please provide a copy with your reply.
- What steps is the FCC taking to ensure there will be local news after the auction?
- Does the FCC understand that it should allow Joint Sales Agreements (JSAs) and Shared Services Agreements (SSAs) for the purposes of continuing and providing expanded public services, such as news?

Thank you for your prompt attention to this matter and please feel free to contact me or Jacob Schanzenbach at (202) 225-6572 if you should have any questions. I would appreciate it if you would notify me in writing with your responses to my questions.

Sincerely,

Frank A. LoBiondo
Member of Congress

FAL:js

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