

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
2022 Quadrennial Review –) MB Docket No. 22-459
Review of the Commission’s Broadcast)
Ownership Rules and Other Rules Adopted)
Pursuant to Section 202 of the)
Telecommunications Act of 1996)
)

JOINT REPLY COMMENTS

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March 20, 2023

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EXECUTIVE SUMMARY

The decades-old Local Radio Ownership Rule constrains the ability of local radio broadcasters to compete for both audiences and advertising revenue, which has a direct impact on the Commission's goals of preserving localism and diversity in communities across America. In today's media marketplace, radio broadcasters face fierce competition from digital audio platforms for both audience and advertising revenues. The empirical data submitted by the Joint Commenters with their Joint Comments and with these Joint Reply Comments demonstrates that today's media landscape is entirely different than that which existed when the Local Radio Ownership Rule was adopted in 1996.

In contrast to the data provided by the Joint Commenters, commenters in this proceeding that support the retention of the current ownership restrictions do not provide any new studies or data supporting their conclusion that over-the-air radio is somehow an island unto itself, and that only competition from other radio stations remains the proper market for the Commission's evaluation of competition and diversity. Those commenters do not – and cannot – dispute the detailed statistical data and marketplace analysis submitted by the Joint Commenters and others demonstrating the permanent, structural changes in the marketplace since the local radio ownership caps were established over 25 years ago which make clear that the proper market is much broader – radio is competing against digital media for both advertising and listeners. While some commenters argue that localism and diversity could be negatively affected if greater local ownership is allowed, the stark truth is that neither of these worthy objectives can be achieved if broadcast radio cannot effectively compete in today's media marketplace.

Broadcasters competing today must be able to expand their reach to fight back effectively against the Tech giants that now dominate local advertising sales and are vastly expanding their audience reach. While broadcast radio remains an important part of the audio media landscape, the current trends unequivocally demonstrate that Big Tech companies and other out-of-market digital platforms are eroding radio's advertising base and audience share by offering broad and diverse audio products that are not subject to any regulation. Instead, broadcast radio's survival depends on the ability of broadcasters to achieve scale in their local markets – which, in turn, will enable radio to provide a better product to compete with digital media.

As no data has been supplied to refute the conclusions of the Joint Commenters, the decision is clear: the Commission must act quickly to eliminate unnecessary regulations that prevent local radio broadcasters from adapting to, and competing in, the ever-evolving digital world. Failure to provide regulatory relief to allow local broadcasters to achieve scale in their markets will inevitably result in digital media's irretrievable erosion of local radio's audience and revenues – to the detriment of the local communities and listeners that radio broadcasters serve. Accordingly, the Joint Commenters urge the Commission to revisit the need for the Local Radio Ownership Rule to ensure the future viability of radio broadcasting for the benefit of all Americans.

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Connoisseur Media, LLC (“Connoisseur”), Townsquare Media, Inc. (“Townsquare”), Mid-West Family Broadcasting (“Mid-West Family”), Midwest Communications, Inc. (“Midwest Communications”), the Frandsen Family Stations (“Frandsen”), Forever Media (“Forever Media”), Neuhoff Media (“Neuhoff”), Eagle Communications, Inc. (“Eagle Communications”), Patrick Communications, LLC (“Patrick Communications”), and Legend Communications, LLC (“Legend Communications” and, collectively, the “Joint Commenters”),¹ by their attorneys, hereby submit these reply comments in the above-referenced proceeding.²

¹ For a description of the Joint Commenters, *see* Joint Comments of Connoisseur Media, LLC, Townsquare Media, Inc., Mid-West Family Broadcasting, Midwest Communications, Inc., the Frandsen Family Stations, Forever Media, Neuhoff Media, Eagle Communications, Inc., Patrick Communications, LLC, and Legend Communications, LLC, MB Docket No. 22-459, at n.1 (filed Mar. 3, 2023) (“Joint Comments”).

² *See generally* Media Bureau Seeks to Opens Docket and Seeks Comment for 2022 Quadrennial Regulatory Review of Media Ownership Rules, Public Notice, DA 22-1364 (rel. Dec. 22, 2022) (“Public Notice”).

I. INTRODUCTION

In assessing the radio marketplace, the Commission has a choice between: (1) relaxing the current Local Radio Ownership Rule to reflect the empirical data that demonstrates the fundamental change in the competitive landscape of the media marketplace since the ownership restrictions were initially adopted in 1996; or (2) maintaining the status quo based on the ostrich-like claims that the marketplace remains unchanged after a quarter of a century. In their Joint Comments, the Joint Commenters provided statistical data, research studies, and other empirical evidence to demonstrate that the media marketplace has continued to evolve since 2021. Indeed, it is more apparent now than ever before that the decades-old Local Radio Ownership Rule constrains the ability of local radio broadcasters to compete for both audiences and advertising revenue, which has a direct impact on the Commission's goals of preserving localism and diversity in communities across America.

Those commenters that support the retention of the current rules do not provide any new studies or data supporting their conclusion that only radio remains the proper marketplace for the Commission's evaluation of competition and diversity. These commenters would have the Commission believe that marketplace competition, the standard that the Commission must use in evaluating the continued need for these rules,³ remains today the same as it was in 1996. This conclusion simply cannot be supported. There can be no disagreement that today's media landscape is entirely different than that which existed when the Local Radio Ownership Rule was adopted in 1996.

³ Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, § 202(h) (1996); Consolidated Appropriations Act, 2004, Pub. L. No. 108-199, § 629, 118 Stat. 3 (2004).

Before addressing the specific comments filed in response to the *Public Notice* more specifically, it is important to assess the real changes in the media marketplace since 1996. Edison Research and its partners recently released their 2023 edition of *The Infinite Dial*, its annual look at the media marketplace.⁴ As Edison started *The Infinite Dial* series of reports in 1998, the twenty-fifth edition of this report looks back on the changes in the marketplace occurring since these studies began – a period coinciding with the period in which the Local Radio Ownership Rules have been in place. The initial slides in that study forcefully demonstrate that today’s media marketplace is nothing like the market that existed in 1996. Changes in the marketplace demands changes in the rules. Broadcasters competing today must be able to expand their reach to fight back effectively against the Tech giants that now dominate local advertising sales and are making substantial inroads in their pursuit of a similar position in local audio listening.

In 1996, only about a third of Americans even had access to the Internet. As made clear in the 2023 edition of *The Infinite Dial*, today almost all Americans now use the Internet⁵:

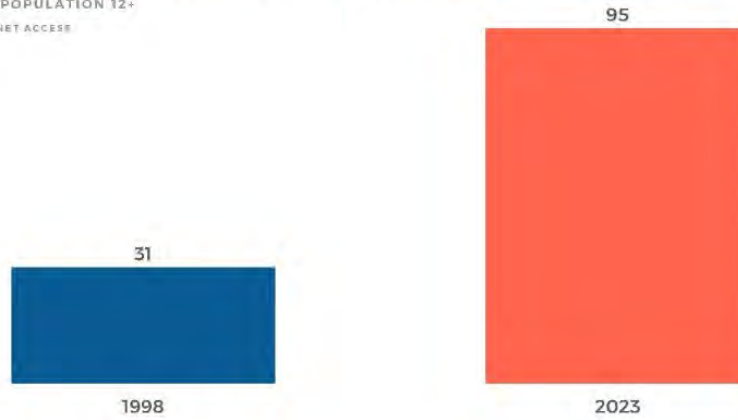
⁴ Edison Research, *et al.*, *The Infinite Dial 2023*, at 2 (Mar. 2, 2023), available at <https://www.edisonresearch.com/infinite-dial-2023-from-edison-research-with-amazon-music-wonderly-and-art19/>, also attached hereto as **Exhibit A**.

⁵ *Id.* at 3.

Internet Access Becomes Nearly Universal

TOTAL U.S. POPULATION 12+
% HAVE INTERNET ACCESS

25TH ANNIVERSARY
THE INFINITE DIAL



amazon music

WONDERY

ART19

THE INFINITE DIAL © 2023 EDISON RESEARCH
#InfiniteDial

In 1998, only half the country had a computer in their home. Today, over 90% of Americans walk around with a computer in their pocket – a smartphone – giving them immediate access to audio, video, and advertising content from the Tech giants everywhere they go⁶:

25TH ANNIVERSARY
THE INFINITE DIAL

In 1998:

50%

of Americans age 12+ had
a computer in their household

In 2023:

91%

of Americans age 12+ have
a smartphone



amazon music

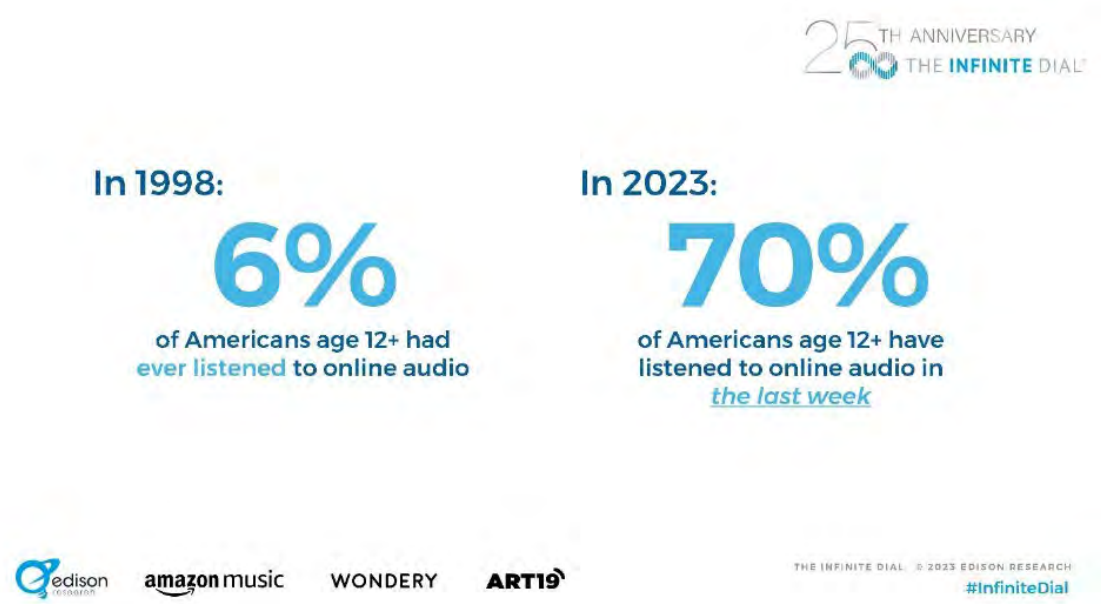
WONDERY

ART19

THE INFINITE DIAL © 2023 EDISON RESEARCH
#InfiniteDial

⁶ *Id.* at 5.

This marked shift to the ubiquitous usage of digital technologies is reflected in the audio listening habits of Americans. Listening to online audio was available only to a limited number of early adopters when the Local Radio Ownership Rule was initially adopted. Today, almost three out of every four Americans listened to online audio in the last week⁷:



In their Joint Comments, the Joint Commenters cite to Edison’s statistics in the 2022 edition of *The Infinite Dial* which showed that 39% of Americans no longer have a radio in their home – with that number being 57% among those between the ages of 13 and 34.⁸ Edison’s additional research shows that listening rate for online audio by those between the ages of 12 and 24 is now three times that to radio, and is now two and a half times the listening rate for those between the ages of 13 and 34.⁹ Borrell and Associates’ report on local advertising competition

⁷ *Id.* at 4.

⁸ Joint Comments at 17 (citing Edison Research, *et al.*, *The Infinite Dial 2022*, at 14 (Mar. 23, 2022), <http://www.edisonresearch.com/wp-content/uploads/2022/03/Infinite-Dial-2022-Webinar-revised.pdf>).

⁹ *Id.* at Exhibit B, pp. 5-6.

provided with the Joint Comments shows that digital media's share of local advertising rose from 26% nine years ago to 67% today, with the majority of local advertising now controlled by three Tech giants.¹⁰ These statistics are not anomalies. Digital competitors barely imagined in 1996 now intensely compete with radio for both audience and revenue. Thus, any argument that radio competes in a vacuum simply cannot be sustained.

While broadcast radio remains an important part of the audio media landscape, the current trends unequivocally demonstrate that Big Tech companies and other out-of-market digital platforms are eroding radio's advertising base and audience share by offering broad and diverse audio products that are not subject to any regulation. Already, these digital giants claim the majority of the local advertising revenues in every market – revenue that in 1996 sufficiently supported local radio – and their share of the listening audience, especially in younger demographics, has already overtaken that of radio. Radio broadcasters must have the ability to challenge digital companies' broad media service and product offerings by growing in their local markets to counteract the billions of dollars lost in advertising revenue to online advertising platforms.¹¹ Thus, the Joint Commenters reiterate their 2019 and 2021 requests that the Commission significantly relax the local radio ownership restrictions to enable radio broadcasters to compete effectively with their unregulated adversaries.

¹⁰ *Id.* at Exhibit F, p. 2.

¹¹ See Comments of Heritage Broadcasting of Michigan, MB Docket No. 22-459, at 5-6 (filed Mar. 3, 2023) ("Heritage Comments") ("It is now well established that tech platforms divert a tremendous amount of ad revenue from local stations. A report focusing on just Google Search and Facebook News Feed found that local broadcasters lose almost an estimated \$2 billion annually by providing their content on these platforms." (citing *Economic Impact of Big Tech Platforms on the Viability of Local Broadcast News*, BIA ADVISORY SERVICES (2021), <https://www.benton.org/headlines/economic-impact-big-tech-platforms-viability-local-broadcast-news>) ("Benton Study")).

The comments submitted in response to the *Public Notice* do not provide any compelling evidence to justify retention of the Local Radio Ownership Rule in today’s media marketplace. Rather, the comments – even those that oppose relaxation of the Local Radio Ownership Rule – overwhelmingly demonstrate that radio stations now face fierce competition from non-broadcast audio platforms for audience and advertisers in today’s digital media marketplace.¹² The comments do not – and cannot – dispute the detailed statistical data and marketplace analysis submitted by the Joint Commenters and others demonstrating the permanent, structural changes in the marketplace since the local radio ownership caps were established over 25 years ago. While some commenters argue that localism and diversity could be negatively affected if greater local ownership is allowed, the stark truth is that neither of these worthy objectives can be achieved if broadcast radio cannot compete in today’s media marketplace.

As no data has been supplied to refute the conclusions of the Joint Commenters, the decision is clear: the Commission must act quickly to eliminate unnecessary regulations that prevent local radio broadcasters from adapting to, and competing in, the ever-evolving digital world. Failure to provide regulatory relief to allow local broadcasters to achieve scale in their markets will inevitably result in digital media’s irretrievable erosion of local radio’s audience and revenues – to the detriment of the local

¹² See, e.g., Comments of National Association of Broadcasters, MB Docket No. 22-459, at 10-11, 15-17, and 25 (filed Mar. 3, 2023) (“NAB Comments”) (noting that the increased competition to radio from Big Tech and digital platforms necessitates elimination or relaxation of Local Radio Ownership Rule); Comments of musicFIRST Coalition & Future of Music Coalition, MB Docket No. 22-459, at 14-15 (filed Mar. 3, 2023) (“musicFIRST Comments”) (noting the increased competition to radio from non-broadcast audio platforms but opposing elimination or revisions of Local Radio Ownership Rule).

communities and listeners that radio broadcasters serve.¹³ Unless companies like the Joint Commenters can operate competitively viable radio stations free from outdated government regulation, the exact harms that those who oppose relaxation fear will be realized: a media landscape that is severely lacking local content and diverse, local voices.¹⁴

II. THE RECORD IN THIS PROCEEDING OVERWHELMINGLY DEMONSTRATES THAT RADIO BROADCASTERS FACE UNPRECEDENTED COMPETITION FOR AUDIENCE AND ADVERTISING

In 2019 and 2021, the Joint Commenters and others provided compelling empirical evidence to show that radio faces fierce competition from new entrants for both advertisers and audience alike due to rapid technological changes in the marketplace. In their Joint Comments, the Joint Commenters provided updated statistical data and other evidence to show that the trends previously identified in both 2019 and 2021 continue along the same trajectories, with consumers and advertisers viewing alternative media outlets as substitutes for radio. While some commenters attempt to minimize concerns about how increased competition has eroded, and will

¹³ See Second Declaration of W. Lawrence Patrick at 2-3 (“Patrick Second Declaration”), attached hereto as **Exhibit B**.

¹⁴ iHeart again argues that in *FCC v. Prometheus Radio Project* (“*Prometheus*”), the Supreme Court rejected the notion that the Commission should focus its evaluation of the Local Radio Ownership Rule on competition. Comments of iHeart Communications, Inc., MB Docket No. 22-459, at 3-4 (filed Mar. 3, 2023) (“iHeart Comments”) (citing first Supplemental Comments of iHeart Communications, Inc., MB Docket No. 18-359, at 8-9 (filed Sept. 2, 2021) (“2021 iHeart Supplemental Comments”); and then citing *FCC v. Prometheus Radio Project*, 141 S.Ct. 1150, 1155 (U.S. 2021)). As we previously stated in our 2021 Joint Reply Comments, however, the Court did not address in *Prometheus* whether and how the FCC should *balance* the public interest factors that inform the Commission’s review of the ownership rules under Section 202(h). Joint Reply Comments of Connoisseur Media, LLC, *et al.*, MB Docket No. 18-349, at n.4 (filed Oct. 1, 2021) (citing 2021 iHeart Supplemental Comments at 9). Regardless, the record in this proceeding continues to be replete with evidence demonstrating that: (1) the Local Radio Ownership Rule is no longer necessary due to competition; and (2) elimination of the rule will not harm localism and diversity. Rather, freeing radio broadcasters from unnecessary regulation will advance these laudable goals by ensuring that local radio can continue to not only exist but to thrive.

continue to erode, broadcast radio’s audience and advertising base, these commenters do not dispute that today’s audio marketplace is far different than it was in 1996, and that radio stations confront more intense competition than ever before.

As was the case in 2019 and again in 2021, some commenters focus on broadcast radio’s continued nationwide reach to support their conclusion that relaxation or elimination of the Local Radio Ownership Rule is unnecessary.¹⁵ But a review of the evidence provided with the Joint Comments demonstrates that the times are changing, and broadcast radio does not live in a vacuum. Instead, digital competition is a reality and is rapidly growing in every local media market. Digital media must be considered to be part of the marketplace when evaluating the radio ownership rules, as digital media competes directly with radio for both listeners and advertising revenues.

A. The Data Shows that Broadcast Radio Competes Directly with Digital Media for Listeners

Even when looking at audience reach alone, there is no denying that the broadcast’s share of audio listenership has dropped over the past decade. The fact is that the COVID-19 pandemic only exacerbated the undeniable trends that have been emerging over the past several years.¹⁶

As the Edison Research data attached to the Joint Comments demonstrates, among all Americans

¹⁵ See, e.g., Comments of the Multicultural Media, Telecom and Internet Council, MB Docket No. 22-459, at 4 (filed Mar. 3, 2023) (“The 2022 Communications Marketplace Report reveals that the market remains unchanged . . . [as] terrestrial radio broadcasters have long been the mainstay of the audio programming market.” (citing 2022 Communications Marketplace Report, GN Docket 22-203, FCC 22-103, ¶ 245 (rel. Dec. 30, 2022))); Comments of National Association of Black Owned Broadcasters, Inc., MB Docket Nos. 22-459 & 18-349, at 5 (filed Mar. 3, 2023) (“NABOB Comments”) (“terrestrial radio continues to receive the greatest percentage of time spent listening among all forms of audio”).

¹⁶ See NAB Comments at 12. See also Joint Comments at Exhibit F (Borrell – Digital Advertising Report), p. 2 (“The COVID-19 pandemic accelerated trends, as ad revenue for all traditional forms of media suffered in that two-year period, while digital media saw revenues continue to grow.”).

ages 13 and older, the average share of time listening to broadcast radio has significantly decreased, while the average share of time listening to digital streaming services has increased.

Americans’ Average Share of Time Listening to Audio Sources (2014 vs. 2022)¹⁷

Platform	<u>2014</u>	<u>2022</u>	<u>% Change</u>
Americans Ages 13-24:			
AM/FM over-the-air	28.3%	16.3%	-12.0%
All Streaming Audio Sources (including AM/FM digital streams, Streaming Audio, Music on YouTube, and Podcasts)	37.2%	64.3%	27.1%
Americans Ages 13-34:			
AM/FM over-the-air	32.9%	19.5%	-13.4%
All Streaming Audio Sources (including AM/FM digital streams, Streaming Audio, Music on YouTube, and Podcasts)	33.1%	59.7%	26.6%
Americans Ages 13+:			
AM/FM over-the-air	50.4%	32.8%	-17.6%
All Streaming Audio Sources (including AM/FM digital streams, Streaming Audio, Music on YouTube, and Podcasts)	21.1%	43.3%	22.2%

But Americans’ share of time listening to audio sources does not tell the whole story. It is necessary to look beyond a single statistic to determine whether radio listening is meaningful, what the listening trends have been, and what these trends signify for the future. When this is done, the time spent listening to broadcast radio has continued to decrease significantly, as more and more consumers, particularly younger demographics, turn to digital platforms and audio entertainment services, most of which are controlled by the largest companies in America.¹⁸

As the Edison Research data demonstrates, among Americans ages 13-24, the average daily time spent listening to broadcast radio by decreased 49% from 85 minutes per day in 2014, to only 43 minutes per day in 2022, while the average daily time spent listening to audio streaming sources increased 103% from 113 minutes per day in 2014, to 171 minutes per day in

¹⁷ Joint Comments at Exhibit B (Share of Ear: Share of Time Spent Listening to Audio Sources Q4 2022 Study), pp. 8-9.

¹⁸ See *id.* at 12-13.

2022.¹⁹ 52.4% of Americans ages 13-24 reported in 2022 that they did not listen to broadcast radio at all.²⁰ Similarly, among Americans ages 13-34, the average daily usage of broadcast radio decreased by 34% from 85 minutes per day in 2014, to 56 minutes per day in 2022, while the average daily time spent listening to audio streaming sources increased by 100% from 85 minutes per day in 2014, to 170 minutes per day in 2022.²¹ 46.5% of Americans ages 13-34 reported in 2022 that they did not listen to broadcast radio at all.²²

Indeed, Americans across all age groups broadly use these digital audio platforms that compete for listeners with over-the-air radio. Edison Research's data demonstrates that among Americans ages 13 and older, the average daily time spent listening to broadcast radio decreased by 35% from 130 minutes per day in 2014, to only 84 minutes per day in 2022, while the average daily time spent listening to audio streaming sources increased by 103% from 55 minutes per day in 2014, to 112 minutes per day in 2022.²³ 39.4% of Americans ages 13 and older reported that they did not listen to broadcast radio at all in 2022.²⁴

As with younger generations, the data demonstrates that all Americans ages 13 and older see digital audio platforms as an alternative to broadcast radio, and increased their listening to digital audio platforms over the past decade:

¹⁹ *Id.* at Exhibit B, pp. 8-9.

²⁰ *Id.* at Exhibit D (Share of Ear 2022 Q4 Table 2), p. 1.

²¹ *Id.* at Exhibit B, pp. 9, 12.

²² Joint Comments at Exhibit D, p. 1.

²³ *Id.* at Exhibit B, pp. 7 & 10.

²⁴ *Id.* at Exhibit D, p. 1.

Average Daily Minutes of Use of Audio Among Americans (2014 vs. 2022)²⁵

<u>Platform</u>	<u>2014</u>	<u>2022</u>	<u>% Change</u>
Americans Ages 13-24:			
AM/FM over-the-air	85.4	43.4	-49.18%
All Streaming Audio Sources (including AM/FM digital streams, Streaming Audio, Music on YouTube, and Podcasts)	112.5	171.2	52.18%
Americans Ages 13-34:			
AM/FM over-the-air	84.7	55.5	-34.47%
All Streaming Audio Sources (including AM/FM digital streams, Streaming Audio, Music on YouTube, and Podcasts)	85.3	170	99.30%
Americans Ages 13+:			
AM/FM over-the-air	130.1	84.4	-35.13%
All Streaming Audio Sources (including AM/FM digital streams, Streaming Audio, Music on YouTube, and Podcasts)	54.6	111.5	104.21%

The record in this proceeding unequivocally demonstrates that the digital audio platforms are now full competitors in the audio marketplace.²⁶ Additionally, the Edison Research data makes “clear that radio listening remains on a negative trend” – a trend that shows no signs of reversing anytime soon.²⁷ It cannot be a coincidence that listening to radio is decreasing while listening to digital audio is simultaneously increasing. One leads to the other – the audio delivery mechanism is becoming less and less relevant to the consumer. Digital audio takes listeners away from broadcast radio – so they must be considered competitors in the same marketplace for listeners. Yet, it is only local radio that remains shackled by decades old government regulation that inhibits its ability to compete in today’s media marketplace.²⁸

²⁵ *Id.* at Exhibit C (Share of Ear 2022 Q4 Table 1), pp. 1-3.

²⁶ *See, e.g., id.* at 11-13; NAB Comments at 19 (“In 2022, about 55 percent of total audio time was spent on digital platforms, surpassing the time spent on traditional radio.” (citing Ethan Cramer-Flood, *Digital audio takes up an increasing share of US digital media time*, INSIDER INTELLIGENCE/EMARKETER (June 21, 2022), <https://www.insiderintelligence.com/content/digital-audio-takes-up-increasing-share-of-us-digital-media-time>)). *See also* Nexstar Comments at 21 (noting similar shifts in the video industry).

²⁷ *See* Joint Comments at Exhibit A (Edison Research Declaration of Larry Rosin), p. 1.

²⁸ *See* NAB Comments at 11 (“As it is now commonplace to say that the abundance of choice is “overwhelming” for audiences, the retention of ownership restrictions dating from the last

B. The Data Shows that Broadcast Radio Competes Directly with Digital Media for Advertising Revenue

Digital media also competes with broadcast radio for advertisers. Certain commenters argue – without providing supporting empirical data – that radio and digital do not compete in the same market for advertising because each platform reaches consumers in different ways.²⁹ Borrell’s report demonstrates, however, radio and digital media are actually in direct competition for the *same* audiences and the *same* advertising revenues. As Borrell observes, “Facebook’s biggest victim may be radio” as “Facebook mimics the attributes of radio, giving advertisers access to affinity groups that were once chiefly the domain of radio’s music genres ([e.g.,] country music fans, sports talk fans, hip hop fans, oldies fans, etc.).”³⁰ Indeed, Borrell found that advertisers buying social media advertising also generally bought radio advertising – with 69% of surveyed advertisers purchasing advertising in both forms of media.³¹ In contrast, Borrell found that advertisers that did not purchase radio advertising “were less inclined to participate in

century in which scarcity was perceived to be a defining characteristic of media markets is both irrational and contrary to Section 202(h).” (citing *Streaming is the future of TV, but the abundance of platform choice is overwhelming for viewers*, NIELSEN (Apr. 11, 2022), <https://www.nielsen.com/insights/2022/streaming-is-the-future-of-tv-but-abundance-of-platform-choice-is-overwhelming-for-viewers/>); Patrick Second Declaration at 3 (“Based on our experience as small-town radio owners, we know what the benefits to communities like ours would be if the FCC relaxes its ownership rules and permits broadcasters to achieve scale in local markets. We know that we can do even more to serve our communities if we were allowed to own more stations. Critics of consolidation should try operating an independent station in a market like ours. It is almost impossible to do so while providing local service, employment benefits, and diverse programming.”).

²⁹ See musicFIRST Comments at 20 (quoting Comments of the National Association of Black Owned Broadcasters, Inc., MB Docket No. 18-349, at 14 (filed Sept. 1, 2021)).

³⁰ Joint Comments at Exhibit F, p. 4.

³¹ *Id.*

social media marketing.”³² Accordingly, based on these studies, Borrell concluded that “local advertisers see radio and digital advertising as *substitutes* – shifting dollars back and forth between these media for various reasons.”³³

Indeed, evidence in the record clearly reflects that advertisers routinely shift dollars away from radio stations towards pureplay Internet companies and other new entrants. As Borrell demonstrates, “[o]f the \$142.8 billion spent” on advertising in “2022, 67.8%, or \$95.4 billion, went to digital media”³⁴ Digital media’s share of advertising is expected “to continue growing, accounting for 74% of local advertising, by 2026.”³⁵ In contrast, Borrell found that there was a precipitous drop in broadcast advertising revenue over the past several years. “Between 2013 and the first half of 2022, there was a 69% decline in the average annual expenditure on television advertising for local business who were buying TV spots, and a 46% drop in average radio budgets for those buying radio commercials.”³⁶ Borrell expects that these negative broadcast advertising trends will continue as they forecast “an additional 5-point decline” for broadcast’s share of the advertising market between 2020 and 2025.³⁷

Money flowing to digital advertisers is also flowing out of local media markets as well. Borrell notes that “[86%] of digital advertising goes to pureplay Internet companies located outside the local markets where it’s spent.”³⁸ This represents a significant erosion of the in-

³² *Id.* (“Borrell’s Sept.-Nov. 2022 survey of 1,983 local ad buyers of whom 851 bought radio advertising and 1,132 did not; among non-buyers, 50% participate in social media marketing.”).

³³ *Id.* (emphasis added).

³⁴ Joint Comments at Exhibit F, p. 3.

³⁵ *Id.*

³⁶ *Id.* at Exhibit F, p. 4.

³⁷ *Id.* at Exhibit F, p. 5.

³⁸ *Id.* at Exhibit F, p. 6.

market advertising share compared to 2013 when “local media’s share of of all digital advertising expenditures was 39.7%, nearly three times more than it is today.”³⁹ Therefore, due to the shift towards digital media platforms over the past several years, advertising revenues have not only flown away from broadcasters but out of local media markets as well.

To say that these changes are happening independently, without digital media being viewed as a substitute for traditional local media like radio, simply ignores the evidence. This trend has been developing for several years now such that, this year, digital media companies control nearly two-thirds of the local advertising market.⁴⁰ This ““shift[] . . . [in] advertising dollars . . . to technology platforms”” has created a ““competitive imbalance [that] puts a severe strain on the economics of local broadcasters”” because ““broadcasters cannot fully recoup their investment or earn the economic benefits they create for the platforms because of unequal bargaining power.””⁴¹

C. **Opponents of Relaxation of the Local Radio Ownership Rule miss the Big Picture: Broadcast Radio Cannot Compete with Digital Media without Achieving Greater Economies of Scale**

In its comments, iHeart repeats its argument that the relevant product market for analyzing the Local Radio Ownership Rule should be limited solely to the local radio market, and claims that the U.S. Department of Justice and the Federal Trade Commission’s recent antitrust actions support its position.⁴² iHeart’s approach is underinclusive and short-sighted,

³⁹ *Id.*

⁴⁰ Joint Comments at 26. *See also* Nexstar Comments at 16 (discussing growth of digital advertising in recent years and explaining that by 2025 online and mobile advertising revenues are expected to increase to \$33.4 billion and \$39.1 billion, respectively, while over-the-air television advertising revenues are expected to “only minimally exceed 2018 levels” by 2027).

⁴¹ Heritage Comments at 6 (quoting Benton Study at ii).

⁴² iHeart Comments at 4-5.

however, as the record here makes clear that radio broadcasters directly compete with digital media platforms for both audience and advertising revenue.⁴³ Research provided by the Joint Commenters and others demonstrates a clear correlation between the loss of audience and advertising in broadcast radio and the growth of the same in digital.⁴⁴ The growth of digital advertising “has meant that advertisers are able to reach a global audience at a lower cost than broadcast network advertisements.”⁴⁵ Therefore, these markets “are far more competitive” than when the Commission implemented its broadcast ownership rules.⁴⁶

As iHeart ignores the fact that local radio competes with unregulated digital audio platforms for the *same* audiences and the *same* advertising dollars, Salem Media similarly ignores the competitive threat of digital platforms by arguing that eliminating or relaxing the Local Radio Ownership Rule’s FM radio subcaps would destroy “religious radio[,] which now thrives on the AM Band,” by “consolidat[ing]” such stations “into groups which have no inclination for religious programming”⁴⁷ By focusing its concerns on FM deregulation, Salem Media downplays the competitive threat posed by digital audio platforms to the viability of religious broadcasting in the AM band.⁴⁸ As the Joint Commenters have demonstrated, however, *external* competitive forces, not the “intramodal” competitive forces as Salem Media

⁴³ NAB Comments at 10-11; Nexstar Comments at 4.

⁴⁴ *See, e.g.*, Joint Comments at 11-13, 18, 20-21, and 25-26; Nexstar Comments at 10-16.

⁴⁵ Comments of Fox Corporation, NBCUniversal Media, LLC, and Paramount Global, MB Docket No. 22-459, at 13 (filed Mar. 3, 2023).

⁴⁶ *Id.*

⁴⁷ Comments of Salem Media Group, Inc., MB Docket No. 22-459, at 8 (Mar. 3, 2023).

⁴⁸ *Id.* at 2 & 9.

and other commenters suggest,⁴⁹ are the greatest threat to the viability of radio broadcasting – in all of its formats.

Other opponents of relaxing the Local Radio Ownership Rule continue to downplay the external competitive threats to the broadcast radio industry. For example, musicFIRST blithely asserts that “the AM/FM industry currently has a competitive advantage over other audio platforms insofar as AM/FM does not pay for the use of sound recordings.”⁵⁰ According to musicFIRST, this “advantage” supposedly quells any concerns regarding the “entire [] radio industry’s ability to compete in intermodal competition” with non-broadcast audio platforms.⁵¹ musicFIRST instead myopically focuses its concerns on the local radio consolidation enabled by lifting the local radio ownership caps. musicFIRST claims that rather than lifting the local ownership restrictions to compete more effectively, radio stations “can create a better product that connects with listeners”⁵² In so doing, musicFIRST completely disregards the fact that radio broadcasters’ ability to create a “better product” depends on increased advertising revenue – which, in the current media marketplace, can only be achieved through increased economies of scale. While musicFIRST recommends that FM radio stations provide a “better product” for their listeners “that connects with listeners who are looking for true ‘live and local’ and more diversified music playlists” to compete with the purported “nationally-homogenized playlists”⁵³ provided by consolidated FM broadcasters, it failed to suggest how any broadcaster can afford to

⁴⁹ See musicFIRST Comments at 14-15.

⁵⁰ *Id.* at 24.

⁵¹ *Id.* at 22.

⁵² *Id.* at 14-15.

⁵³ *Id.*

develop this alleged better product when local revenues are decreasing from the digital media competition.

It has long been a fantasy of some in the music community that diversified music playlists will bring in large new audiences to successfully support intrepid broadcasters who dare to offer these eclectic formats. In truth, however, in all but the largest media markets, there are only a few broad-based music formats that attract a sufficiently wide listener base to support a broadcast station economically. In today's world, where virtually any genre of music can be found online, that base of adventurous listeners to these diverse playlists is even smaller than it has been in the past.

As the Joint Commenters argued in prior pleadings, it is only by allowing a broadcaster in a market to have more stations that programming diversity will be achieved because there would not be multiple broadcasters all fighting over the same broad audience in traditional formats in the same market. A broadcaster with more consolidated ownership has an incentive to program more broadly to reach a larger share of the local market instead of fighting in the same formats with other local broadcasters who are all trying to reach the largest audiences that are drawn to the traditional formats. If there was a magic format that would bring in local listeners as musicFIRST suggests, wouldn't radio broadcasters have already offered that product to get a competitive advantage in the marketplace? As noted below, broadcast channels in major markets are finding few buyers today. It simply is not as easy to launch and support a new, independent radio station in a market as these commenters would have the Commission believe which is why new investors are not flocking to the industry.

musicFIRST also asserts that cost savings realized by local market consolidation would not result in better service to the public, asserting that "[w]e know of no instances where

consolidation-related cost savings actually resulted in those companies reinvesting in diverse or locally-focused programming that benefited the public interest.”⁵⁴ There assertion that this is the case simply does not make it true. In fact, there are many such cases as it is an imperative in today’s media marketplace that, to offer meaningful local programming to address the needs of the community, a broadcaster needs a stable financial base to do so.

The Patrick Second Declaration attached hereto contrasts the immense local service provided by his clusters in Cody and Gillette, Wyoming to the absence of such service from other competitors in those markets.⁵⁵ With these other stations, one does not see new owners entering those markets with ideas as to how to succeed rushing to serve Cody or Gillette, Wyoming to put their ideas into play. Similarly, the statement of Kristin Okesson, manager of Connoisseur’s Connecticut cluster of stations, also provides concrete examples of how consolidation has improved service to the public in the market where her stations operate.⁵⁶ Most of the Joint Commenters have similar examples that they can relate.⁵⁷ These examples

⁵⁴ *Id.*, at 3-4.

⁵⁵ Patrick Second Declaration at 3 (“Without our scale, we would be forced to provide repetitive, generic programming for our listeners – as our competitors currently do. . . .”).

⁵⁶ Declaration of Kristin Okesson at 1, attached hereto as **Exhibit C** (“Connoisseur benefitted greatly when in 2019 it was able to acquire two more stations, WEBE and WICC, that serve the same area in southwestern Connecticut. The acquisition of these stations clearly resulted in better service to the listeners in our service area [by] bring[ing] far more live and local programming . . . cover[ing] local news and community events”).

⁵⁷ *See, e.g.*, Joint Comments of Connoisseur Media, LLC, *et al.*, MB Docket No. 18-349, at Exhibit C – Declaration Susan K. Patrick, pp. 2-3 (filed Apr. 29, 2019) (“If the FCC were to lift the current ownership limits . . . , we would be able to purchase struggling . . . stations to offer more diversity of programming to our communities and . . . we could reinstate many local operational aspects to the struggling stations”); *id.* at Declaration of Jeffrey D. Warshaw, p. 2 (“[O]wnership deregulation would allow us to [add] new formats[,] . . . provide a more diverse product offering[, and] have larger news departments, better traffic reporting, and additional information departments.”); *id.* at Declaration of Michael Wright, p. 1 (“Deregulation would result in a healthier industry, and in turn, higher employment numbers”); *id.* at Declaration of Jonathan Brewster, p. 3 (“[I]f we had [] additional station[s], we would have the

show that radio stations can only develop a better product if there are the financial resources to develop that product.

As Borrell’s study shows, however, no radio station in the country has even a 1% share of its local advertising market.⁵⁸ Creating a better product on a miniscule share of the advertising marketplace is therefore not feasible. As the Joint Commenters stated in their Joint Comments, “only by allowing larger local radio clusters can over-the-air broadcasters more effectively compete in their markets . . . to keep up with changing audience attitudes and compete with big tech for advertising dollars.”⁵⁹

D. Local Market Consolidation is Necessary to Address Effectively the Technological Shifts that have Negatively Impacted the Entire Radio Broadcast Industry

Furthermore, while iHeart is correct that technological changes – *not* market consolidation – threaten the survival of AM radio, iHeart overlooks the fact that FM radio’s

additional resources . . . needed to cover . . . sports throughout the year, in addition to more news and local information . . . [and] more community events.”); *id.* at Declaration of Gary Shorman, p. 1 (“By having greater scale and additional resources, we can provide better content, more diverse formats, and become more involved with local businesses and events.”); *id.* at Declaration of M. Kent Frandsen, p. 2 (“Deregulation would open the door for more specialized programming, niche formats, and the ability to do more community driven programming.”); *id.* at Declaration of Thomas A. Walker, p. 1 (“If we had greater ownership, . . . [o]ur stations[’] [] original, local content . . . could be expanded to additional stations in the area . . . [by] provid[ing] more news, more sports coverage, [] participat[ing] in more local events, [and] promoting the local businesses and events that anchor our communities.”); *id.* at Declaration of Beth Neuhoff, p. 1 (“With the removal of ownership restrictions, a consolidated radio broadcaster could amplify vital news coverage to its communities and better respond in times of emergency.”); *id.* at Erik Hellum, p. 5 (“If we were able to own more stations in our markets, we would be able to offer more diverse formats with more local content, giving listeners more reason to continue to listen to local radio [and] we could expand our product offerings to recapture some of the dollars that now go to these new competitors.”).

⁵⁸ Joint Comments at Exhibit F, p. 2.

⁵⁹ *Id.* at 6.

viability has *also* been impacted by technological innovations.⁶⁰ As the Joint Commenters stated in their Joint Comments, technological shifts have affected the entire radio industry – not just AM radio.⁶¹ While iHeart focuses on the removal of AM devices from electric vehicles, technological changes have also led to decreased usage of AM and FM radio in all vehicles due to increased availability of alternative audio sources in vehicles.⁶² As the Edison Research data demonstrates, Americans are rapidly abandoning *both* AM and FM broadcast radio in their vehicles for digital streaming platforms.

Average Daily Minutes of Use of Audio Among Americans in Cars (2014 vs. 2022)⁶³

<u>Platform</u>	<u>Daily Average Minutes</u>			<u>Average Share of Time Listening</u>		
	<u>2014</u>	<u>2022</u>	<u>% Change</u>	<u>2014</u>	<u>2022</u>	<u>% Change</u>
Americans Ages 13-24:						
AM/FM	39.9	24.9	-37.6%	63.10%	48.9%	-14.2%
SiriusXM	6.2	3.1	-50.0%	9.7%	6.0%	-3.7%
Streaming (Pandora, Spotify, etc.)	3.9	9.0	130.8%	6.20%	17.6%	11.4%
YouTube Music	0.8	5.8	625.0%	1.3%	11.4%	10.1%
Podcasts	0.2	2.00	900.0%	0.3%	3.9%	3.6%
Owned Music	12.2	5.8	-52.5%	19.3%	11.5%	-7.8%
Other Audio Source	0.00	0.4	100.0%	0.00%	0.7%	0.7%
Americans Ages 13-34:						
AM/FM	48.6	31.3	-35.6%	68.4%	52.6%	-15.8%
SiriusXM	7.2	4.2	-41.7%	10.2%	7.0%	-3.2%
Streaming (Pandora, Spotify, etc.)	2.8	9.5	239.3%	4.0%	16.0%	12.0%
YouTube Music	0.5	4.9	880.0%	0.8%	8.2%	7.4%
Podcasts	0.5	3.0	500.0%	0.7%	5.1%	4.4%
Owned Music	11.4	5.8	-49.1%	16.0%	9.7%	-6.3%
Other Audio Source	0.0	0.7	100.0%	0.0%	1.2%	1.2%

⁶⁰ iHeart Comments at 12-15 (discussing the removal of AM devices from electric vehicles).

⁶¹ Joint Comments at 10.

⁶² *Id.* at 19-20.

⁶³ *Id.* at Exhibit C, pp. 4-6.

Americans Ages 13+:						
AM/FM	52.5	37.2	-29.1%	68.6%	59.3%	-9.3%
SiriusXM	10.6	10.0	-5.7%	13.8%	16.0%	2.2%
Streaming (Pandora, Spotify, etc.)	1.6	5.2	225.0%	2.1%	8.2%	6.1%
YouTube Music	0.3	2.5	733.3%	0.4%	4.0%	3.6%
Podcasts	0.4	2.3	475.0%	0.6%	3.7%	3.1%
Owned Music	11.0	4.6	-58.2%	14.3%	7.3%	-7.0%
Other Audio Source	0.1	0.9	800.0%	0.20%	1.4%	1.2%

As the chart above demonstrates, Americans across all age groups are shifting towards usage of digital media platforms in their vehicles. This is especially apparent among Americans ages 13-24 where the average daily use of broadcast radio in vehicles decreased by 37.6% from 39.9 minutes in 2014, to 24.9 minutes 2022. This demonstrates a 14.2% decrease in the share of time that Americans ages 13-24 devoted to listening to broadcast radio services in their vehicles between 2014 and 2022. In contrast, among Americans ages 13-24, the average daily use of digital audio services (i.e., Streaming Audio, YouTube Music, and Podcasts) in vehicles increased by 70.8% from 1.6 minutes in 2014, to 5.6 minutes in 2022. In other words, the average share of time that Americans ages 13-24 devoted to listening to digital audio services increased by 7.2% between 2014 and 2022. Accordingly, technological changes are negatively impacting all forms of broadcast radio services.

Salem Media and iHeart’s focus on the preservation of AM radio misses the point. The Quadrennial Review is not meant to fix the problems that are facing AM radio. Other proceedings at the Commission have already taken steps to address the issues faced by AM broadcasters, and the Joint Commenters fully support any additional steps that the Commission can take to preserve this service. But the focus of *this* proceeding is whether the broadcast ownership rules should be changed to reflect competitive realities – which are that all radio

services, not just AM, are suffering from the competition from Big Tech, and the rules must be changed to give radio operators the scale to compete.

Despite claims from commenters such as Salem Media that “[d]eregulation could very well cause further deterioration of the AM service through . . . diminished investment in technological improvements,”⁶⁴ relaxation of the Commission’s Local Radio Ownership Rule for *both* AM and FM radio would enable further technological innovations for all broadcast radio services. As NAB recognizes, “[t]he dominant platforms and tech companies” competing against radio broadcasters “enjoy yet another competitive advantage by controlling many of the consumer technologies (e.g., smartphones, smart speakers, connected TV devices, etc.) used by hundreds of millions of U.S. consumers to access digital content.”⁶⁵ Accordingly, permitting local radio market consolidation would allow the radio industry to challenge the competitive advantages that Big Tech enjoys through vertical integration and greater capitalization.

Given the evidence provided in this proceeding regarding the fierce competition facing broadcasters from Big Tech, the Commission must now “[a]llow[] greater economies of scale through more rational ownership rules” for all radio broadcasters.⁶⁶ Such rules “would help station groups afford investments in improved technology” – thereby improving the “competitive viability of OTA broadcasting.”⁶⁷

⁶⁴ *Id.* at 3.

⁶⁵ NAB Comments at 21.

⁶⁶ *Id.* at 15.

⁶⁷ *Id.*

III. RELAXATION OF THE LOCAL RADIO OWNERSHIP RULE WILL ENHANCE – NOT HARM – LOCALISM, AND IS ESSENTIAL TO MAINTAINING DIVERSITY AND ATTRACTING NEW RADIO INVESTMENT

Some commenters that oppose changes to the Local Radio Ownership Rule argue that relaxation of the rule will “result in making commercial [] radio worse for listeners by depleting localism, local intramodal competition, ownership diversity, and viewpoint diversity, and could lead to job loss.”⁶⁸ For companies like the Joint Commenters, this statement could not be further from the truth. The fact that the current ownership rules harm localism has been well-substantiated. Radio broadcasters are unable to compete “unless the Commission relaxes its rules and allows broadcast radio stations to be combined with viable radio operators in their market.”⁶⁹ Permitting consolidation would provide radio broadcasters with the ability “to provide local stations with the means to truly serve the public,” and “greater scale to compete with digital media companies.”⁷⁰

Indeed, the record in this proceeding contains ample evidence demonstrating that radio broadcasters struggle to maintain their current level of local service as digital media eats away at their audiences and revenues.⁷¹ Due to “competition levels in the modern media landscape,” radio stations “can no longer bear the burdens of asymmetric regulation, including sub-optimal

⁶⁸ musicFIRST Comments at 13. *See also id* at 3-4 & 9-10.

⁶⁹ Joint Comments at 8-9.

⁷⁰ *Id.* *See also* Heritage Comments at 2 (stating that the proposed ownership rule change “gives local broadcasters the opportunity to consolidate costs and a greater chance to compete against digital advertising, which has increasingly encroached on broadcasting revenue”).

⁷¹ *See, e.g., infra* at Sections II.A and II.B. *See also* Nexstar Comments at 26 (“Local broadcast stations struggle to compete in this exponentially expanding media marketplace, and the Commission’s Local Television Ownership Rule stands as an artificial and unnecessary thumb on the scale to their detriment.”); NAB Comments at 24 (“the structure of today’s video marketplace also severely disadvantages broadcast TV stations . . . TV broadcasters struggle to compete with the tech giants that earn revenue via multiple platforms.”).

ownership structures, scarce investment capital, and delayed technological innovation, while continuing to serve local communities as the FCC expects”⁷² As a result, “the local news industry is being decimated in the digital age’”⁷³ Therefore, as “[m]embers of Congress on both sides of the aisle have recognized that Big Tech companies have amassed too much power over the information that flows to citizens, and efforts must be made to restore balance to the local media landscape,” the Commission should provide regulatory relief to enable local radio broadcasters to leverage the economies of scale necessary to the success of local news.⁷⁴

The argument that relaxation of the Local Radio Ownership Rule will harm broadcast ownership diversity⁷⁵ ignores the reality of today’s marketplace. The radio industry must have strong economic returns to entice investment by attracting new entrants into ownership.⁷⁶ If an industry promises declining revenues as global giants suck revenue out of the market, new

⁷² NAB Comments at 29-30.

⁷³ *Id.* at 20-21 (quoting U.S. SENATE COMM. ON COMMERCE, SCI., AND TRANSP., LOCAL JOURNALISM: AMERICA’S MOST TRUSTED NEWS SOURCES THREATENED 1 (Oct. 2020)). *See also* Nexstar Comments at 6 (“It is undeniable that the Big Tech firms, MVPDs, vMVPDs, and over-the-top [] services, most of which dwarf local television broadcasters, pose major threats to the advertising revenues upon which broadcasters depend to fund essential local programming that serves the needs and interests of communities. These developments have occurred while local broadcasting operations have become more expensive over time and are increasingly in crisis.” (citations omitted)).

⁷⁴ *See* Joint Comments at 23. *See also* Nexstar Comments at 7 (“Absent expeditious Commission action, the overwhelming competitive imbalance created by the Local Television Ownership Rule risks a significant further erosion of the broadcast industry and its ability to produce the quality journalism that is the touchstone of the public interest.”).

⁷⁵ *See, e.g.*, NABOB Comments at 19 (stating that “the need to compete against Facebook, Google and other internet companies is no justification for elimination or relaxation” of the FCC’s ownership rules while ignoring that a strong radio industry that can only exist if broadcasters have access to the tools necessary to compete against Internet goliaths).

⁷⁶ *See* NAB Comments at 5 (explaining that “structural ownership rules do not address the main barrier to new entry and diverse ownership in broadcasting – a lack of access to capital – and they exacerbate the FCC’s self-inflicted wound of over-regulation.”).

entrants (and their investors) will turn to other industries to invest their time and financial resources. Indeed, as NAB observes, “asymmetric regulations on broadcasting, including ownership rules, discourage investment in and the provision of capital to broadcasters and make non-broadcast investment opportunities comparatively more inviting.”⁷⁷ We are already seeing radio stations that cannot be sold as new entrants are unwilling to enter the industry.⁷⁸ Examples abound of major market stations being sold at prices a tenth or a twentieth of what would have been the case a decade ago.⁷⁹ New entrants will refrain from entering the radio industry if they see declining growth in audience and revenue and no upside return on their investment. Only by strengthening the radio industry by giving it the opportunity to compete with the giants in any local marketplace can investment be attracted to the industry.

We have seen in the newspaper industry that, as digital competition increased, investment dried up, and the few companies willing to invest in that industry were ones that were not committed to localism and community service. Radio must be given the tools to fight back against the Big Tech onslaught in local markets so that it can continue to provide the local service that the listening public deserves. The local radio industry must be allowed to become strong, ready, and able to compete in today’s media marketplace. In light of the current and ongoing trends, the radio industry cannot continue to endure the same ownership restrictions as it

⁷⁷ *Id.* at 7.

⁷⁸ See Joint Comments at 29 & Exhibit G (Declaration of W. Lawrence Patrick), pp. 2-3.

⁷⁹ Compare *VCY America Acquires Ed Stolz’ Las Vegas, Palm Springs & San Francisco FMs from Receivership*, RADIOINSIGHT (Dec. 30, 2020), <https://radioinsight.com/headlines/203585/vcy-america-acquires-ed-stolz-las-vegas-palm-springs-san-francisco-fms-from-receivership/> (three radio stations sold for \$6 million), to Jenny Park, *Big City Radio Sells Stations for \$100 million Cash, Stock*, THE WALL STREET JOURNAL (Jul. 14, 2008), <https://www.wsj.com/articles/DJFHYYW0020080714dycu002jt> (three radio stations sold for \$100 million in cash and 3.77 million Entravision shares).

has over the past 25 years. Therefore, “[t]he Commission must consider [] the real-world consequences of imposing, in a highly-competitive marketplace, a burdensome and antiquated regulatory regime on an advertising-supported industry with high operational costs that must nonetheless provide audio and video content in markets across the country . . . at no cost to the public.”⁸⁰ “Without changes, there will simply come a time when the math simply does not add up.”⁸¹

IV. CONCLUSION

The comments filed in response to the *Public Notice* demonstrate that all radio stations – FM and AM alike – currently face unprecedented competition for listeners and advertisers from the nation’s largest companies and other out-of-market platforms. The statistical data and empirical evidence submitted in this proceeding clearly demonstrates that there is no reason to expect any meaningful reversal of the negative trends impacting the local radio industry – absent Commission action. Indeed, in light of the clear and unmistakable shift in audio listening and advertising from terrestrial radio to digital platforms, the writing on the wall is clear: if the Commission does not act now to level the playing field by removing archaic ownership restrictions that burden local broadcasters, but not their formidable competitors, over-the-air radio stations will simply be unable to maintain the current level of local service, a result that is clearly contrary to the public interest. Accordingly, the Joint Commenters urge the Commission to act now to preserve local media by relaxing the Local Radio Ownership Rule – thereby unleashing local radio companies to compete with their unregulated digital competitors.

⁸⁰ NAB Comments at 30.

⁸¹ *Id.*

Respectfully submitted,

Connoisseur Media, LLC

/s/ Jeffrey D. Warshaw

Founder and Chief Executive Officer

Mid-West Family Broadcasting

/s/ Thomas A. Walker

President

Frandsen Family Stations

/s/ M. Kent Frandsen

President

Neuhoff Communications

/s/ Beth Neuhoff

Chief Executive Officer and President

Patrick Communications, LLC

/s/ W. Lawrence Patrick

Managing Partner

Townsquare Media, Inc.

/s/ Allison Zolot

Senior Vice President and General Counsel

Midwest Communications, Inc.

/s/ Michael Wright

Chief Operating Officer

Forever Media

/s/ Lynn Deppen

Member

Eagle Communications, Inc.

/s/ Gary Shorman

Chairman

Legend Communications, LLC

/s/ Susan K. Patrick

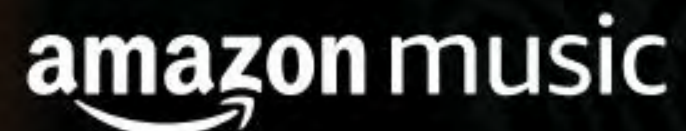
Managing Partner

March 20, 2023

Exhibit A

The Infinite Dial 2023

25TH ANNIVERSARY
THE INFINITE DIAL[®]

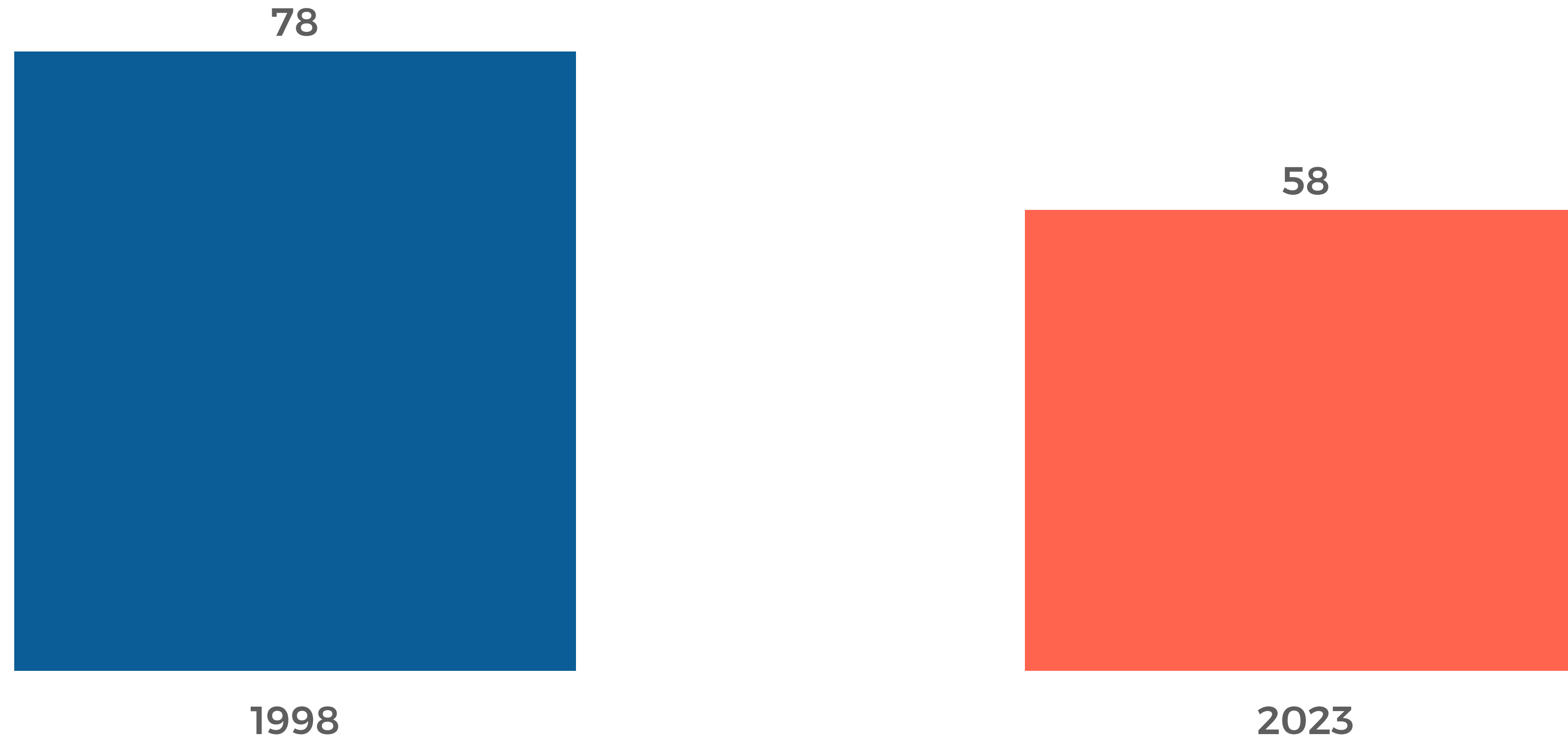


#InfiniteDial

America is Far More Diverse

TOTAL U.S. POPULATION 12+

% WHITE



Internet Access Becomes Nearly Universal

TOTAL U.S. POPULATION 12+
% HAVE INTERNET ACCESS



In 1998:

6%

of Americans age 12+ had
ever listened to online audio

In 2023:

70%

of Americans age 12+ have
listened to online audio in
the last week

In 1998:

50%

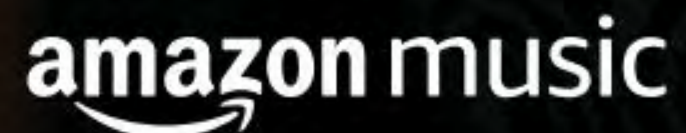
of Americans age 12+ had
a computer in their household

In 2023:

91%

of Americans age 12+ have
a smartphone

25TH ANNIVERSARY
THE INFINITE DIAL[®]

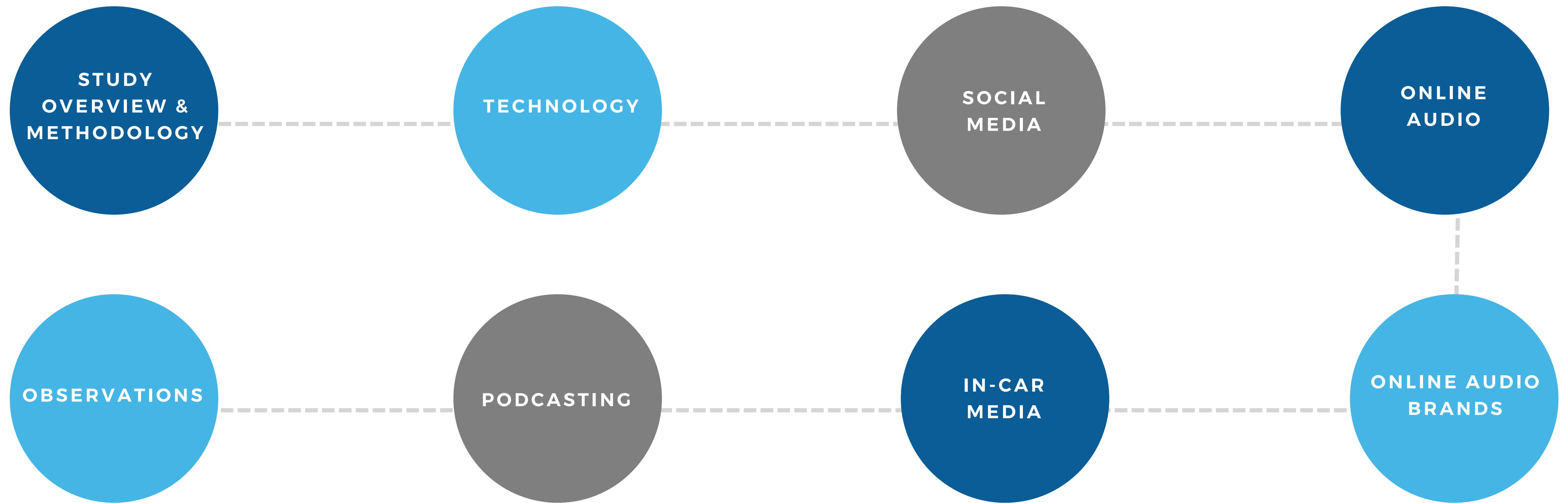


WONDERY

ART19[®]

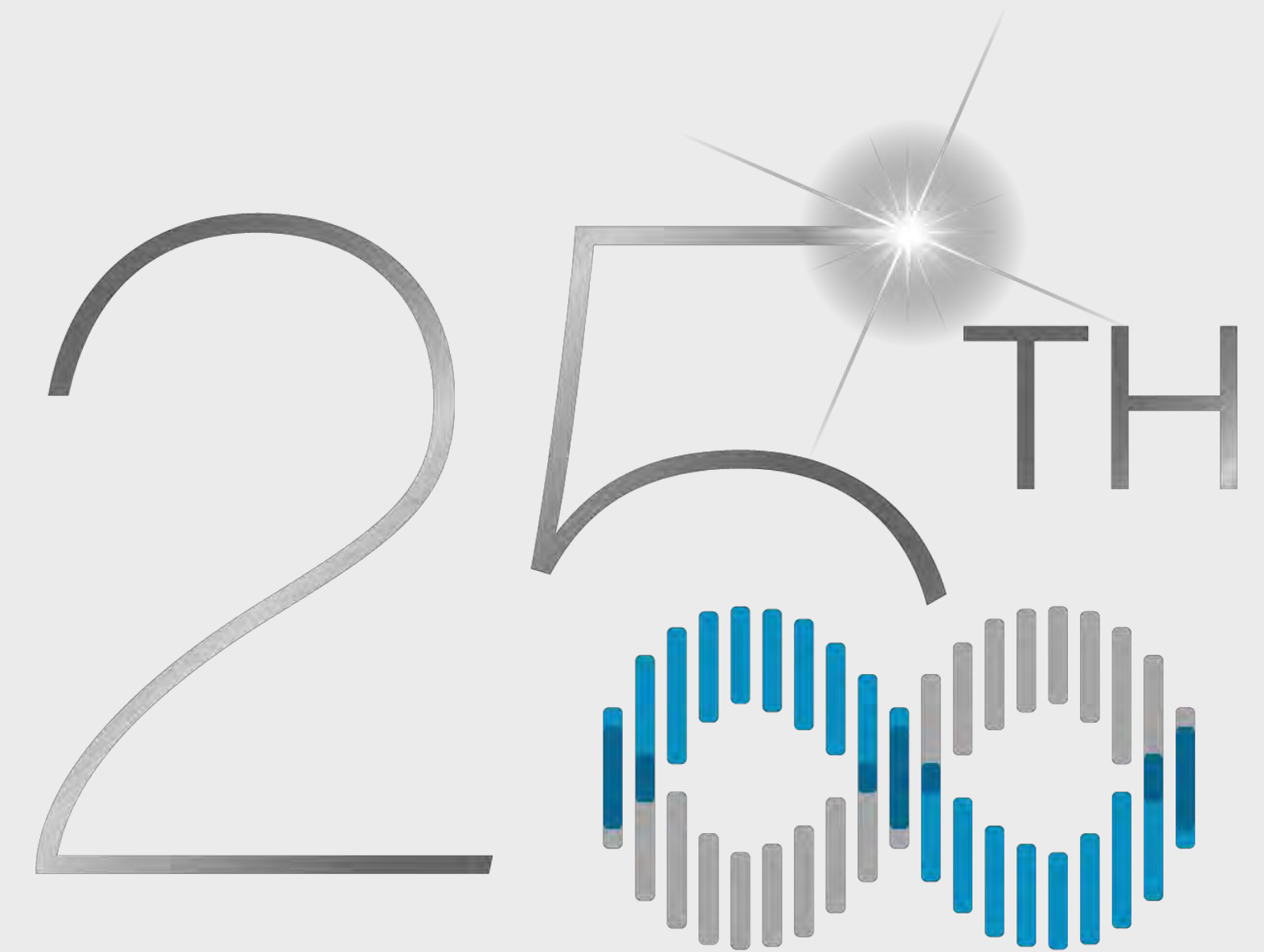
#InfiniteDial

Presentation Outline



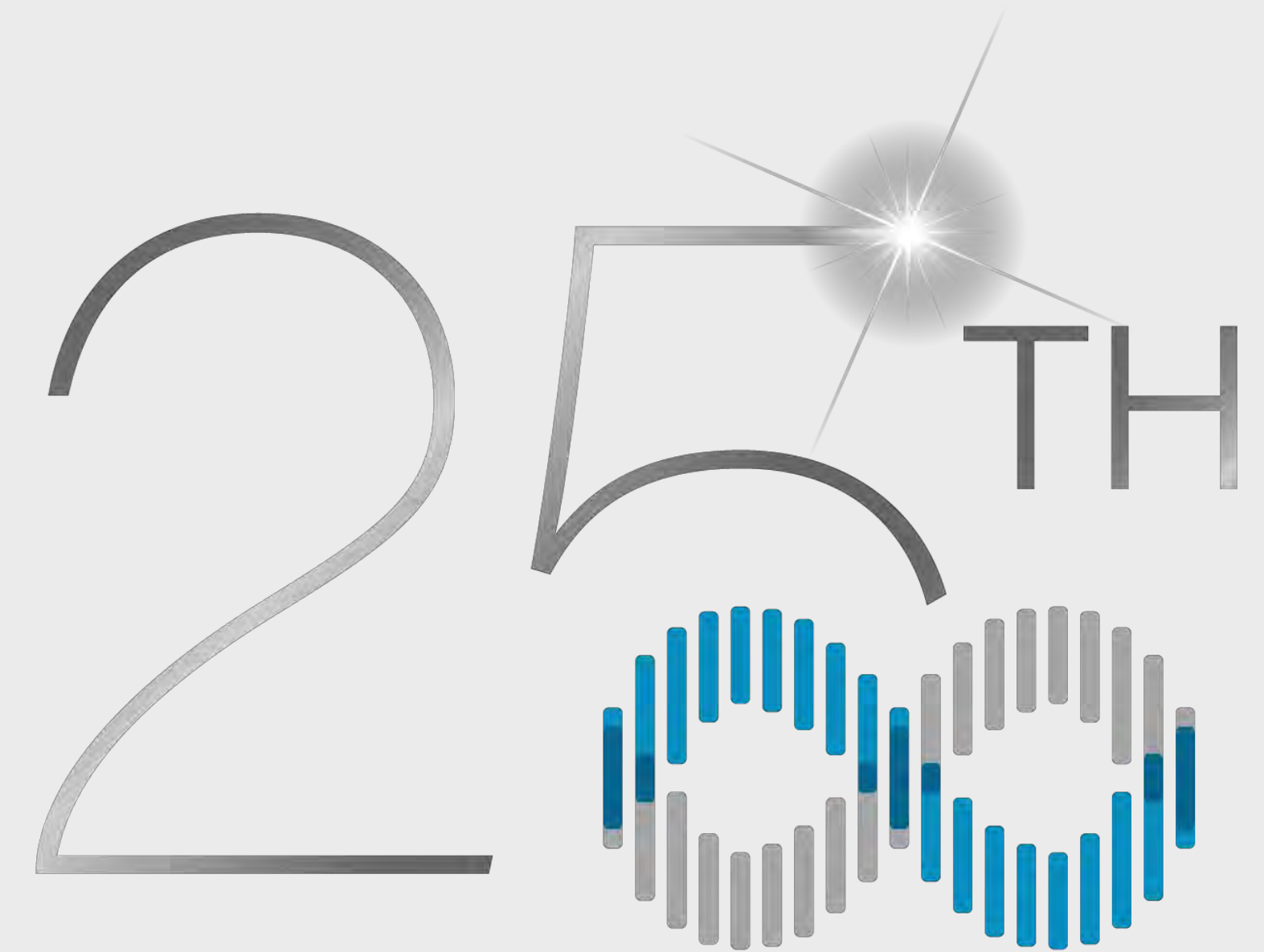
Study Overview

- ▶ The Infinite Dial is the longest-running survey of digital media consumer behavior in America
- ▶ The annual reports in this series have covered a wide range of digital media and topics since 1998
- ▶ The Infinite Dial tracks mobile behaviors, internet audio, podcasting, social media, smart speakers and more



Study Methodology

- ▶ In January 2023, Edison Research conducted a national telephone survey of 1500 people aged 12 and older, using random digit dialing techniques to both cell phones and landlines
- ▶ Survey offered in both English and Spanish
- ▶ Data weighted to national 12+ U.S. population figures



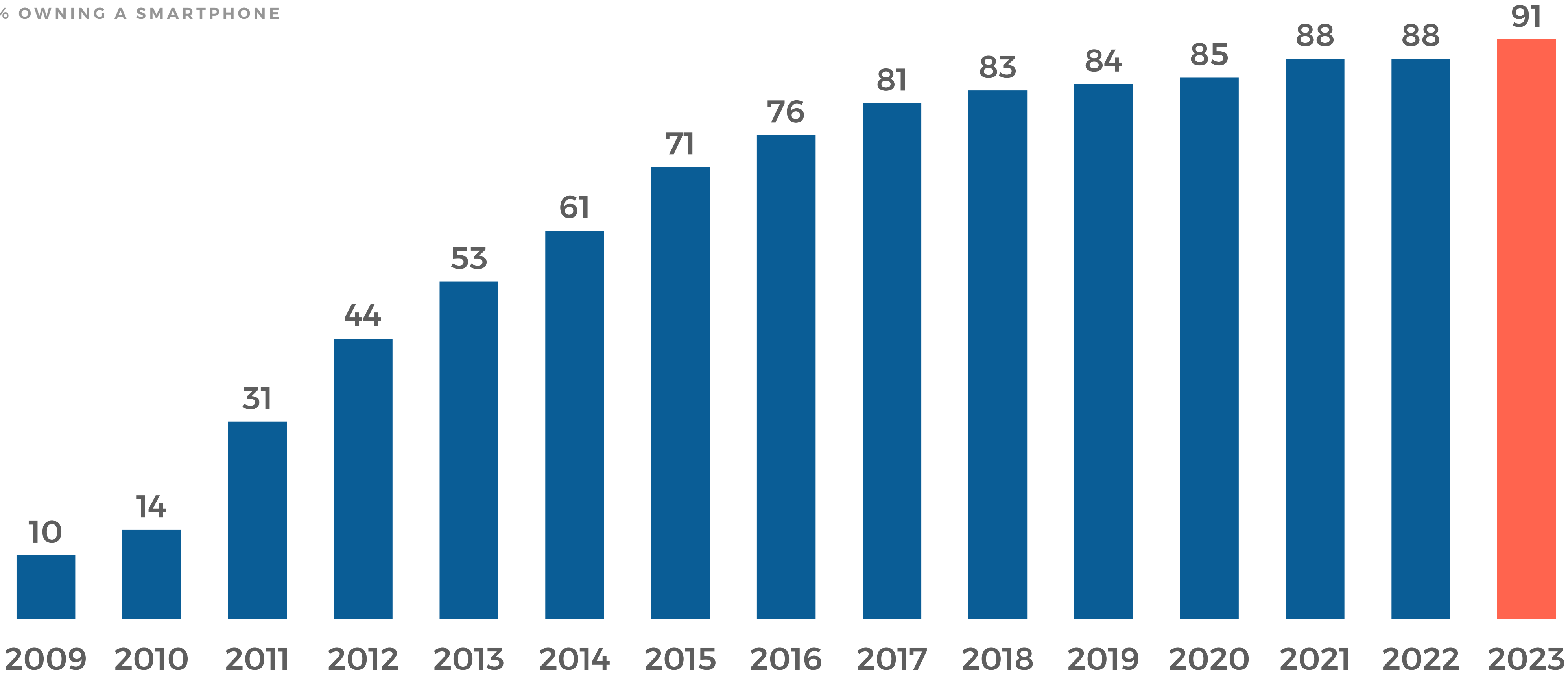
Technology

Smartphone Ownership

TOTAL U.S. POPULATION 12+

% OWNING A SMARTPHONE

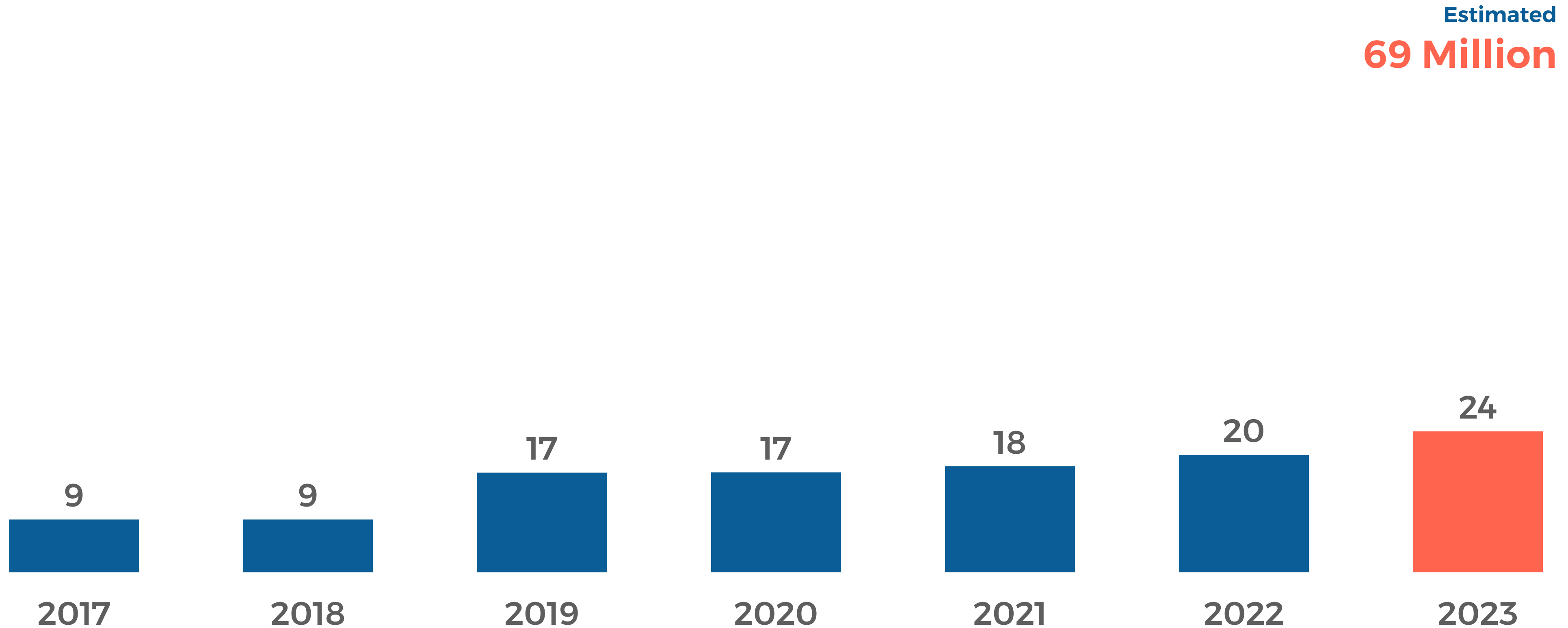
Estimated
260 Million



Smart Watch Ownership

TOTAL U.S. POPULATION 12+

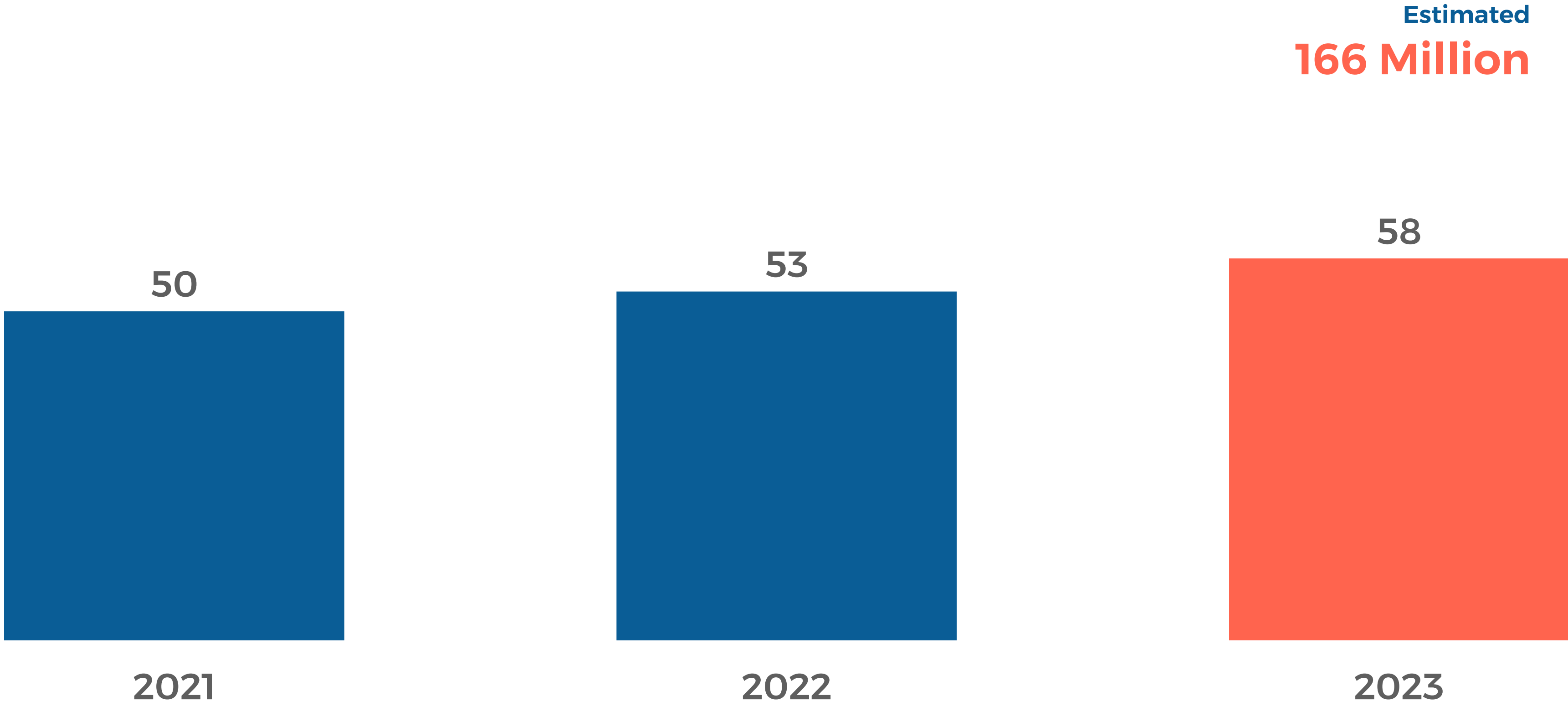
% OWNING A SMART WATCH



Bluetooth-Enabled Wireless Headphones Ownership

TOTAL U.S. POPULATION 12+

% OWNING BLUETOOTH-ENABLED WIRELESS HEADPHONES/EARPHONES



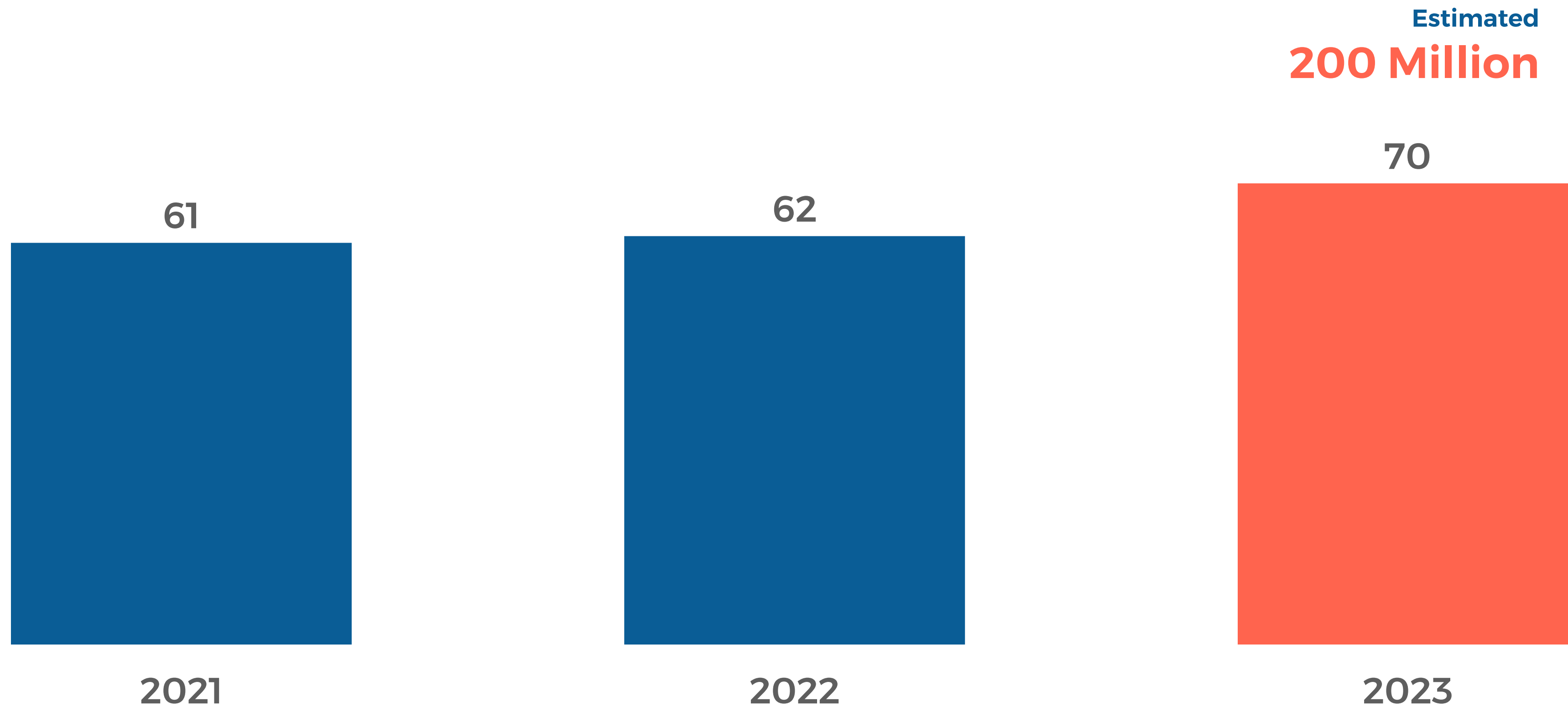
Estimated
166 Million



Smart TV Ownership

TOTAL U.S. POPULATION 12+

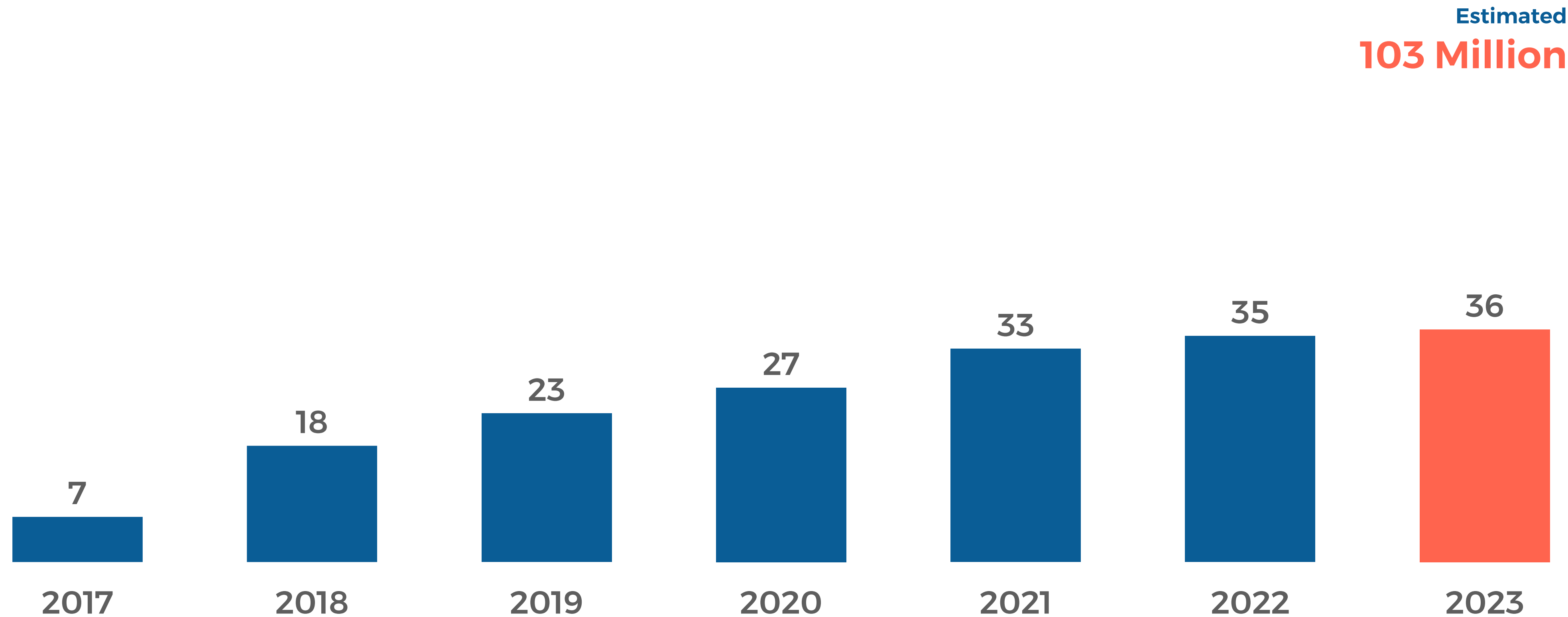
% OWNING A SMART TV



Smart Speaker Ownership

TOTAL U.S. POPULATION 12+

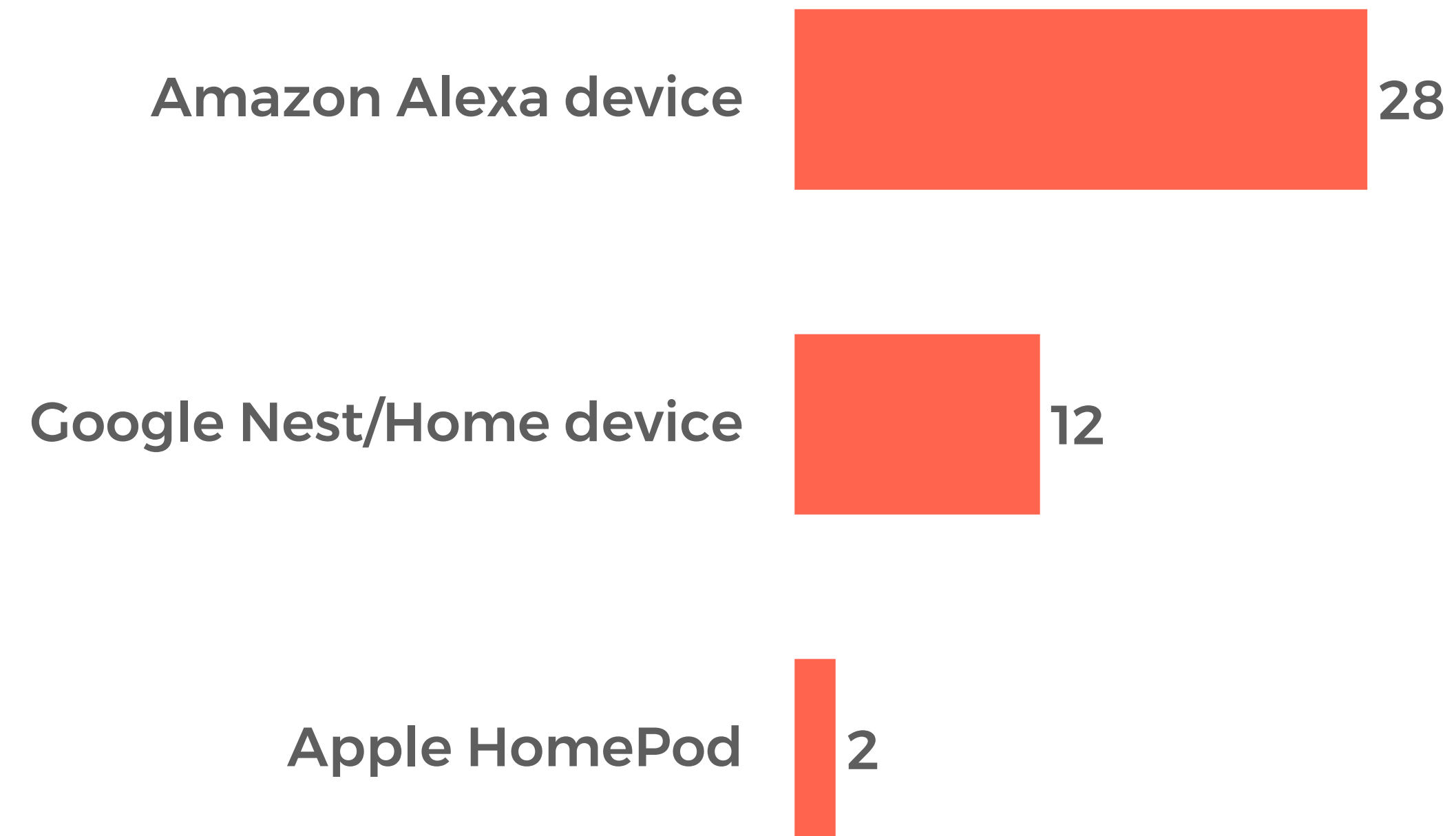
% OWNING A SMART SPEAKER



Smart Speaker Ownership

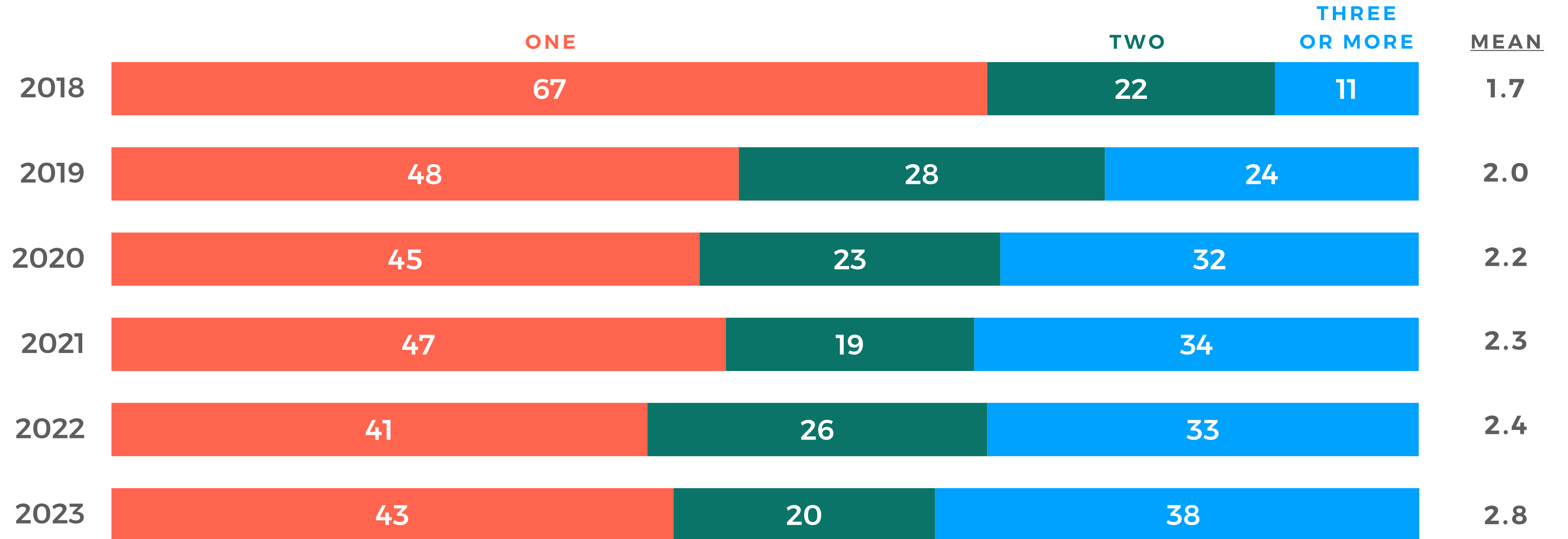
TOTAL U.S. POPULATION 12+

% OWNING SMART SPEAKER BRAND



Number of Smart Speakers in Household

BASE: U.S. AGE 12+ SMART SPEAKER OWNERS

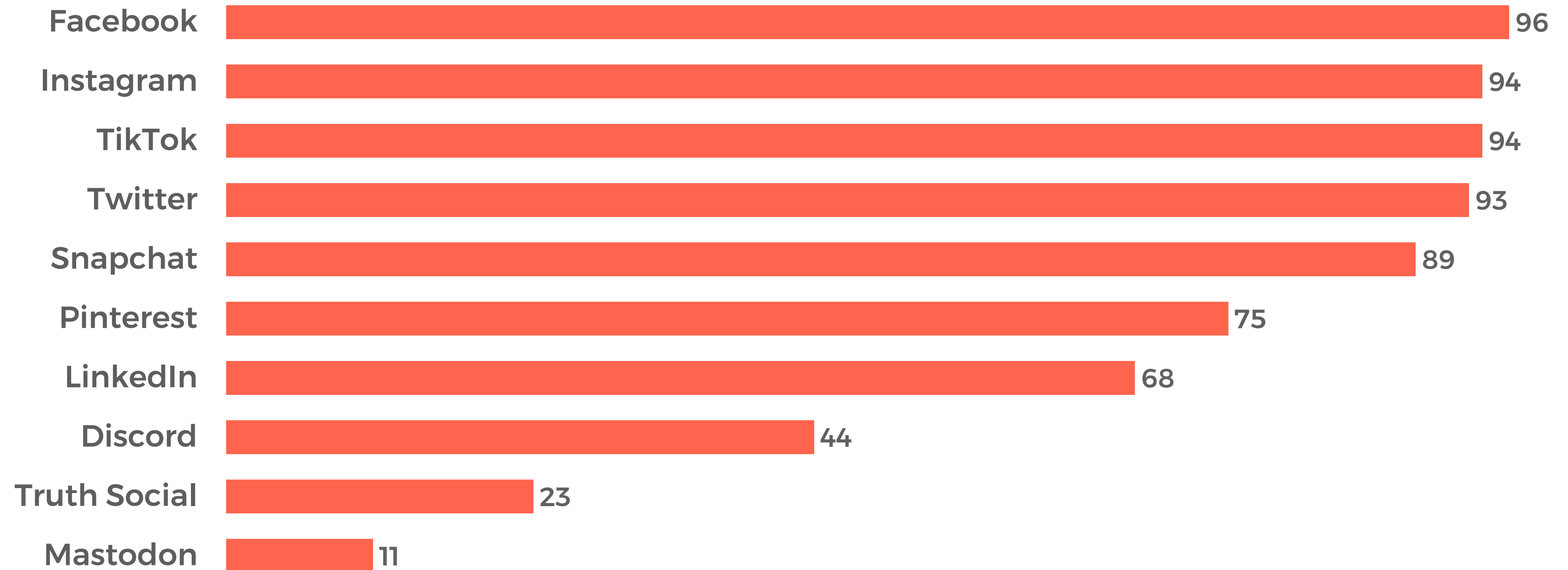


Social Media

Social Media Brand Awareness

TOTAL U.S. POPULATION 12+

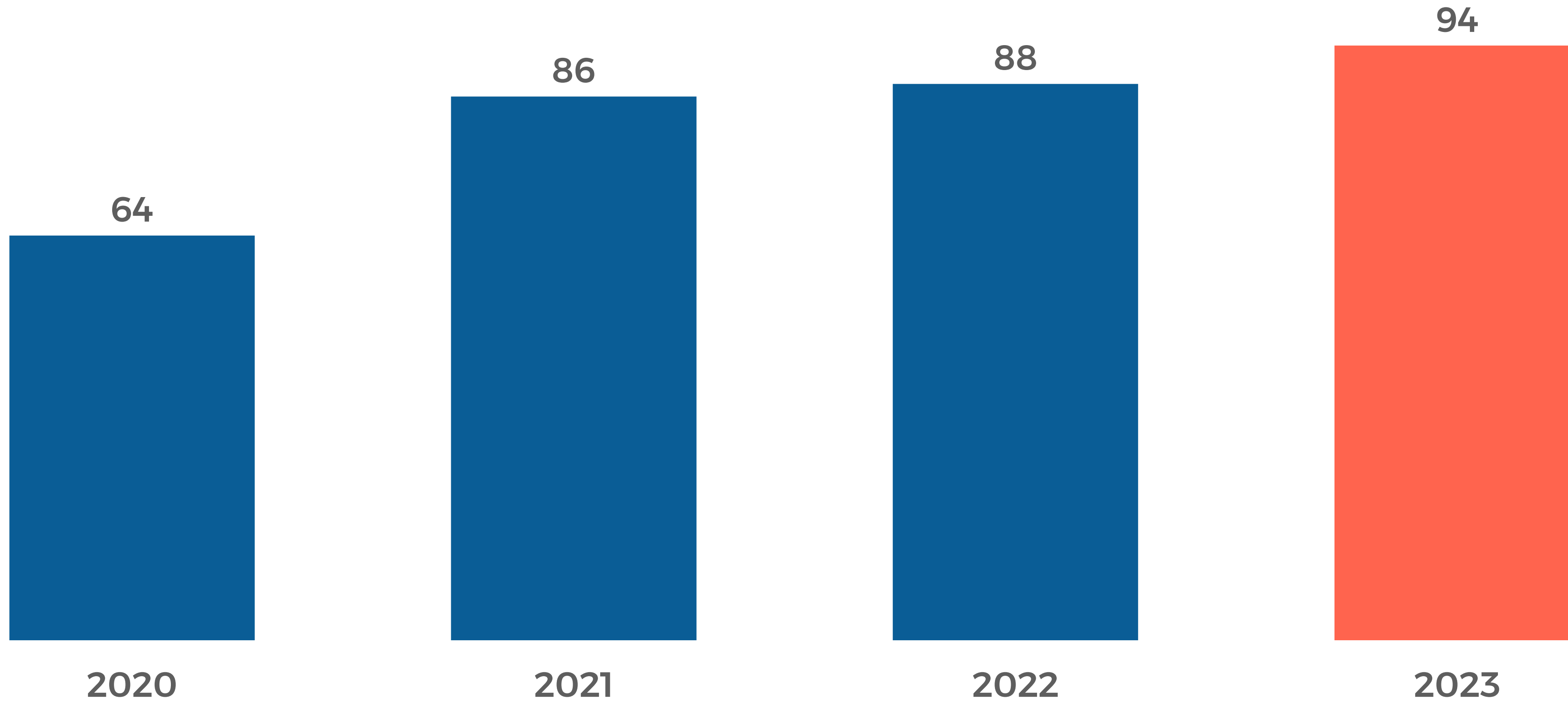
% AWARE OF SOCIAL MEDIA BRAND



TikTok Awareness

TOTAL U.S. POPULATION 12+

% AWARE OF TIKTOK

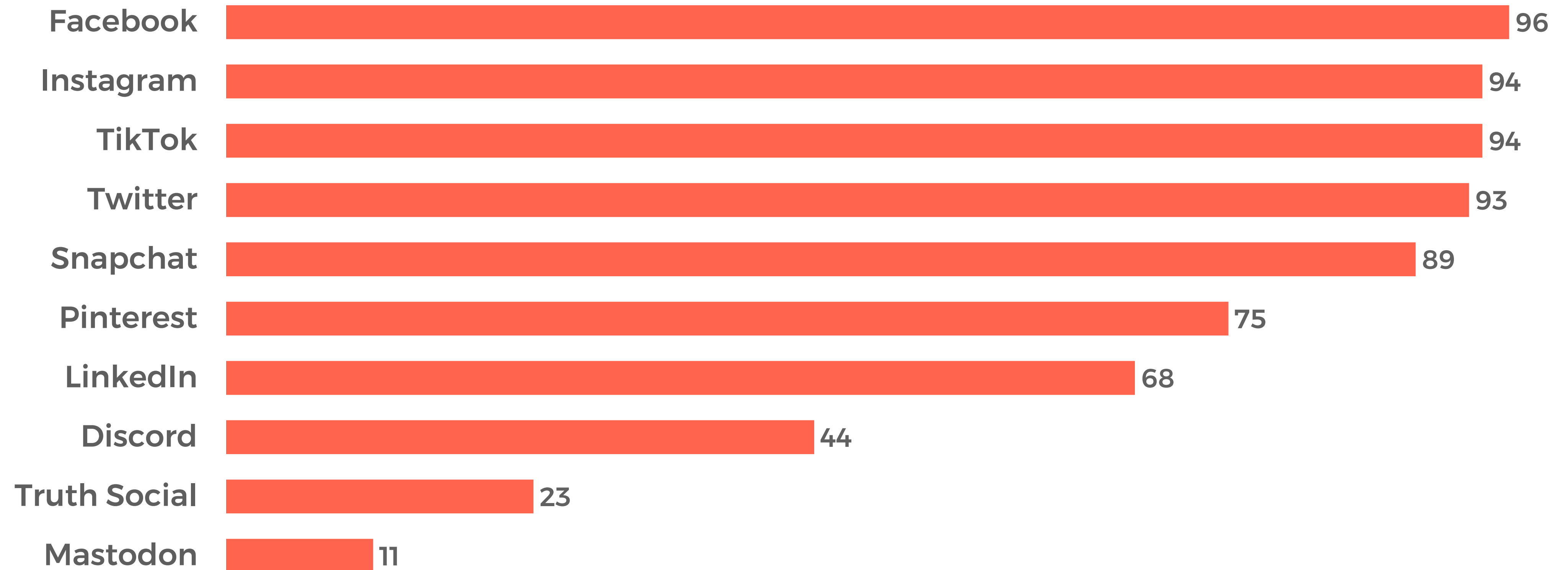


Estimated
269 Million

Social Media Brand Awareness

TOTAL U.S. POPULATION 12+

% AWARE OF SOCIAL MEDIA BRAND

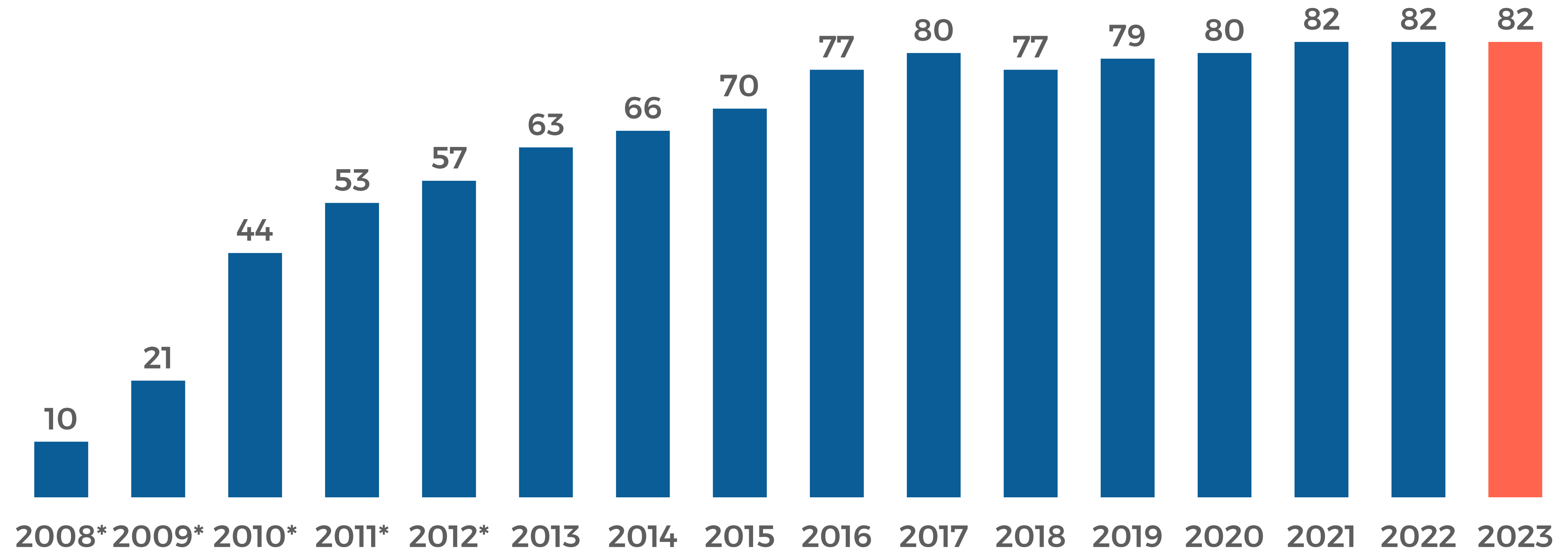


Social Media Usage

TOTAL U.S. POPULATION 12+

% USING SOCIAL MEDIA

Estimated
235 Million



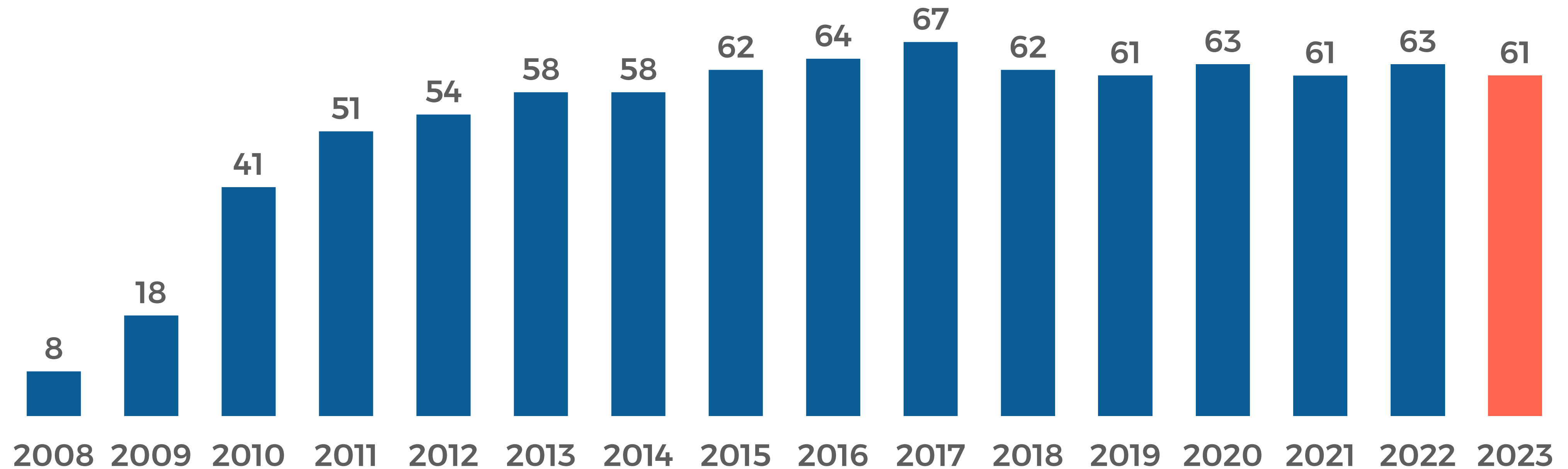
*2008-2012: EVER USE FACEBOOK, TWITTER, OR LINKEDIN

Facebook Usage

TOTAL U.S. POPULATION 12+

% USING FACEBOOK

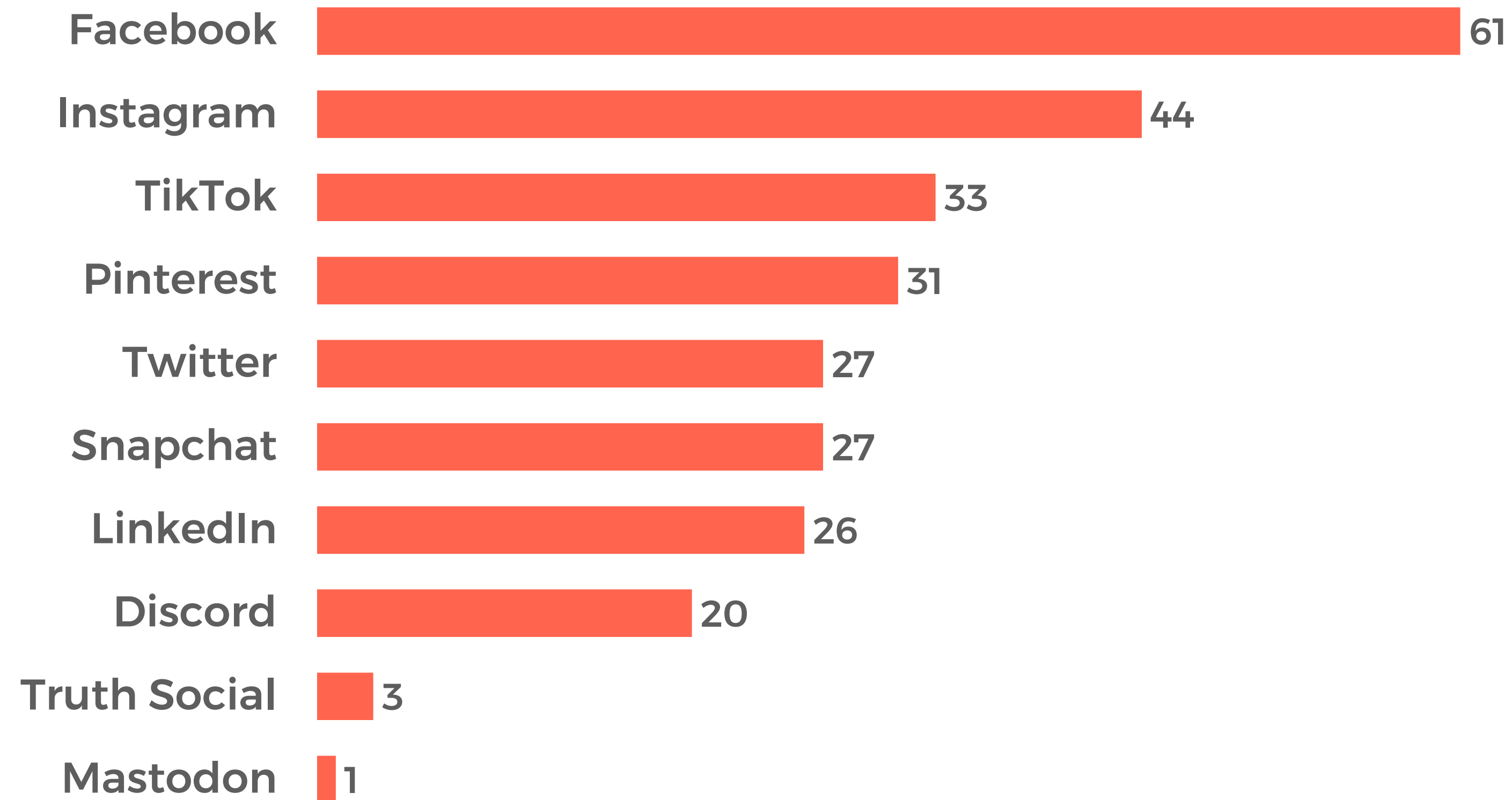
Estimated
174 Million



Social Media Brand Usage

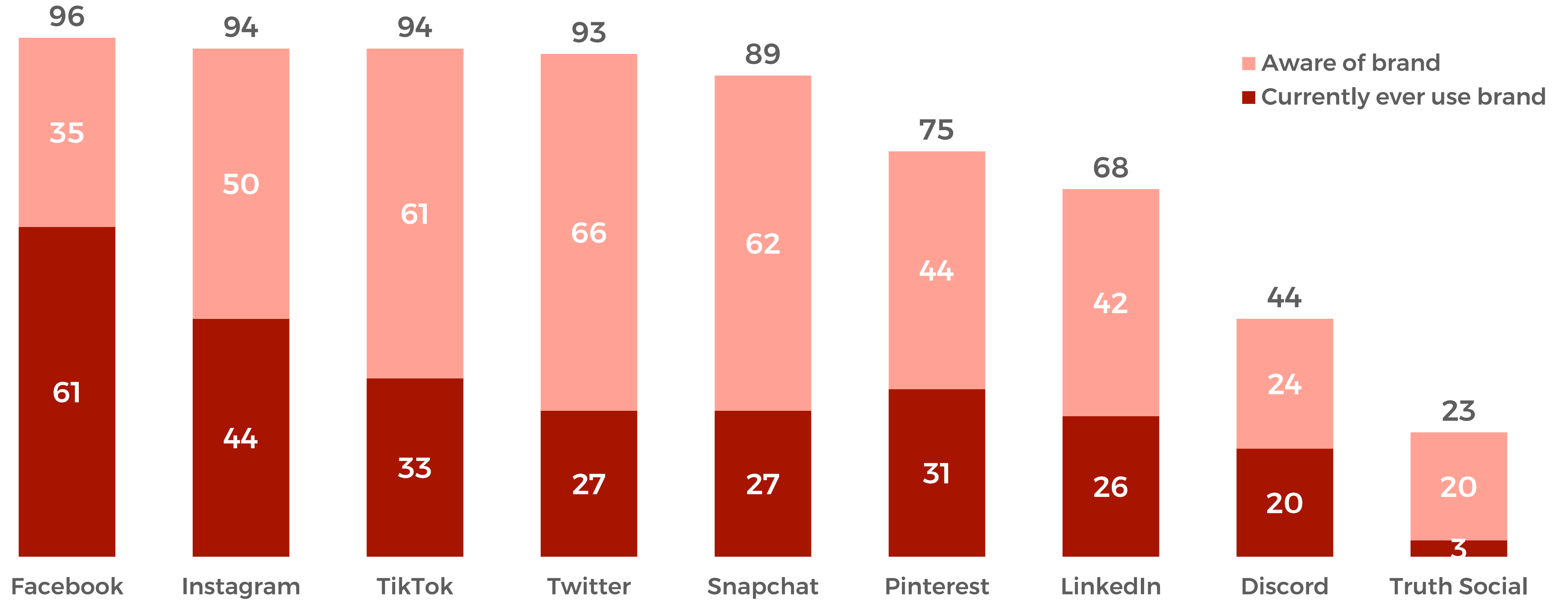
TOTAL U.S. POPULATION 12+

% USING SOCIAL MEDIA BRAND



Social Media Brand Awareness vs. Usage

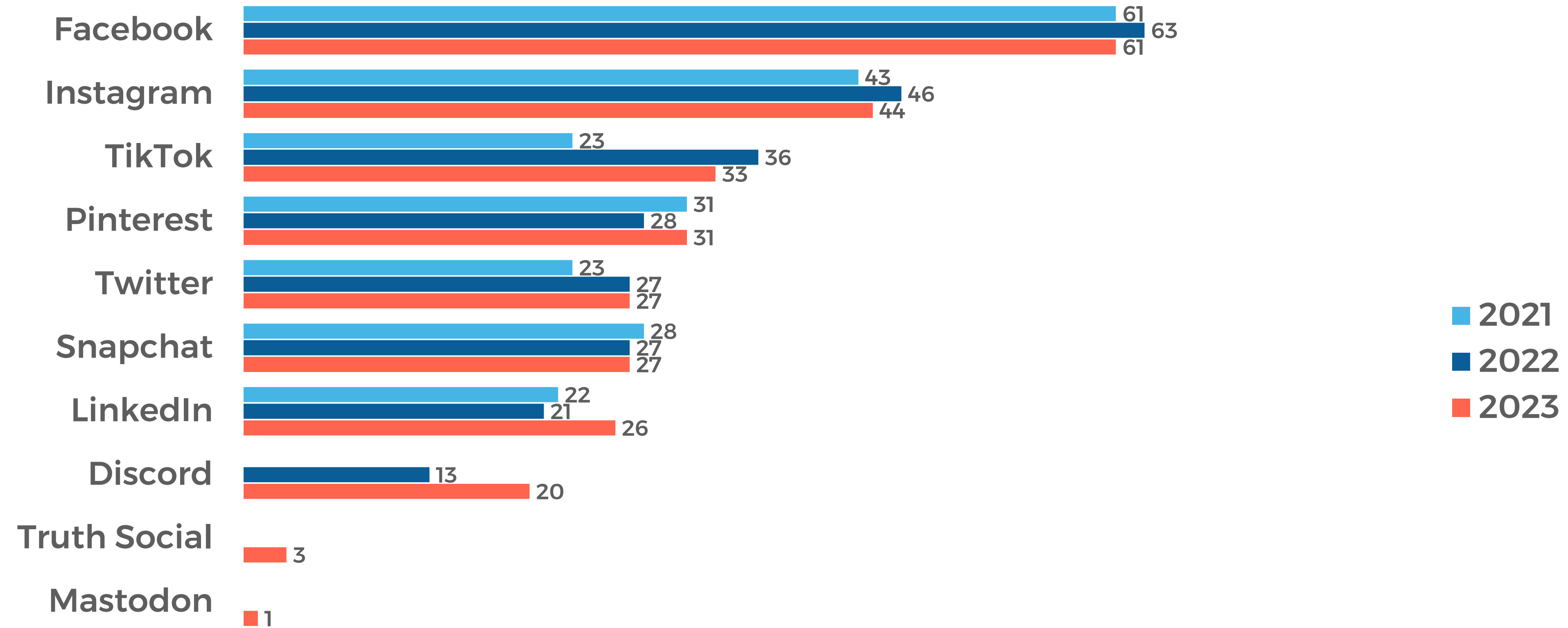
TOTAL U.S. POPULATION 12+



Social Media Brand Usage

TOTAL U.S. POPULATION 12+

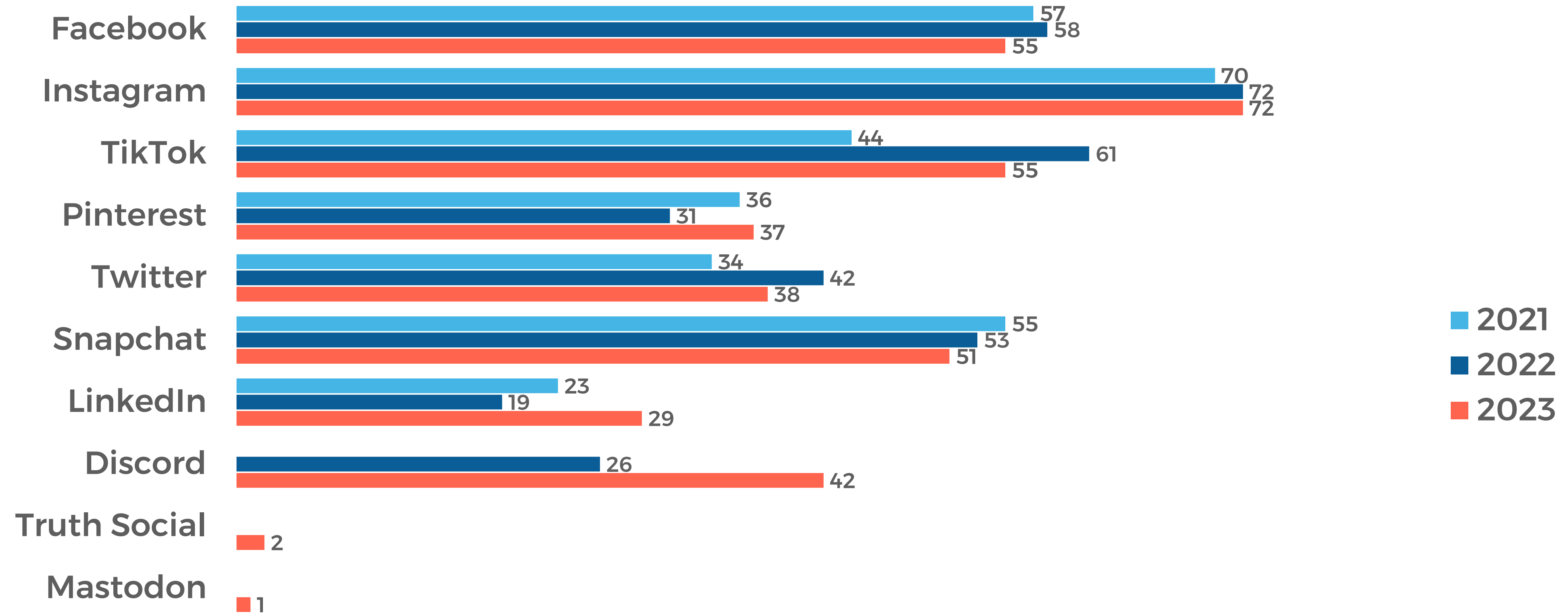
% USING SOCIAL MEDIA BRAND



Social Media Brand Usage (Age 12-34)

U.S. POPULATION

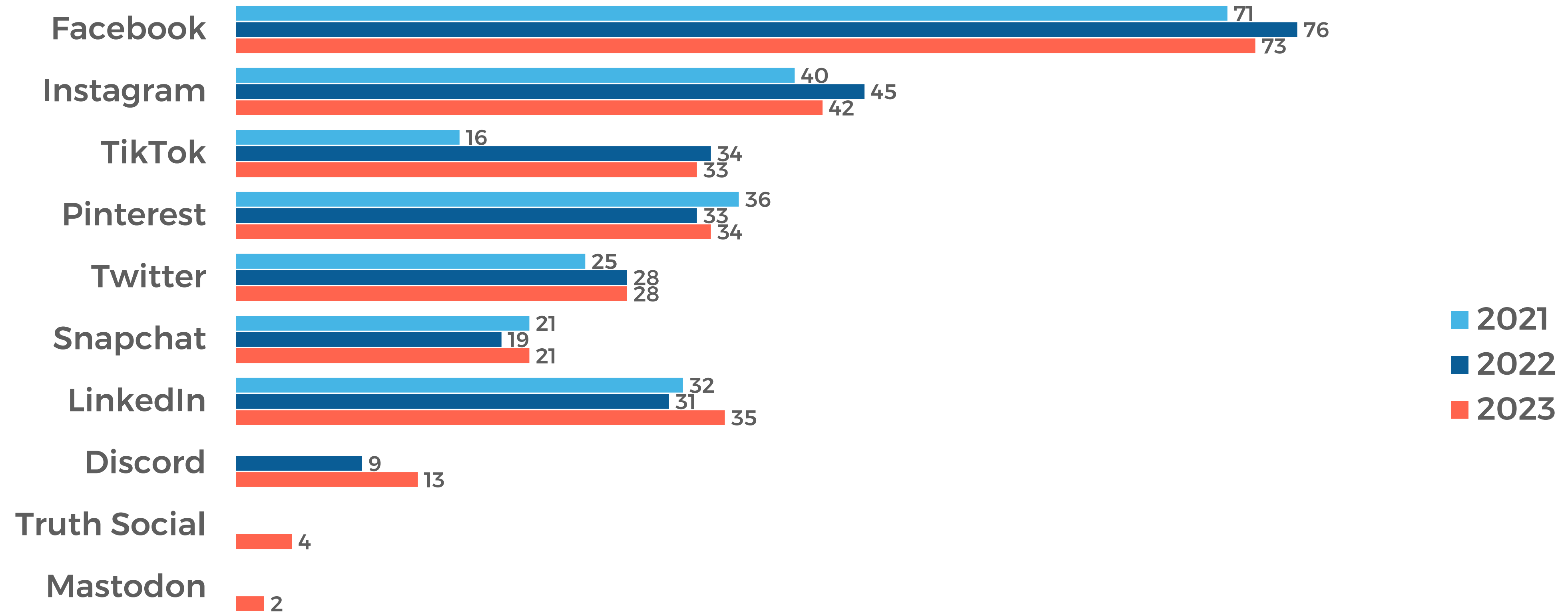
% USING SOCIAL MEDIA BRAND



Social Media Brand Usage (Age 35-54)

U.S. POPULATION

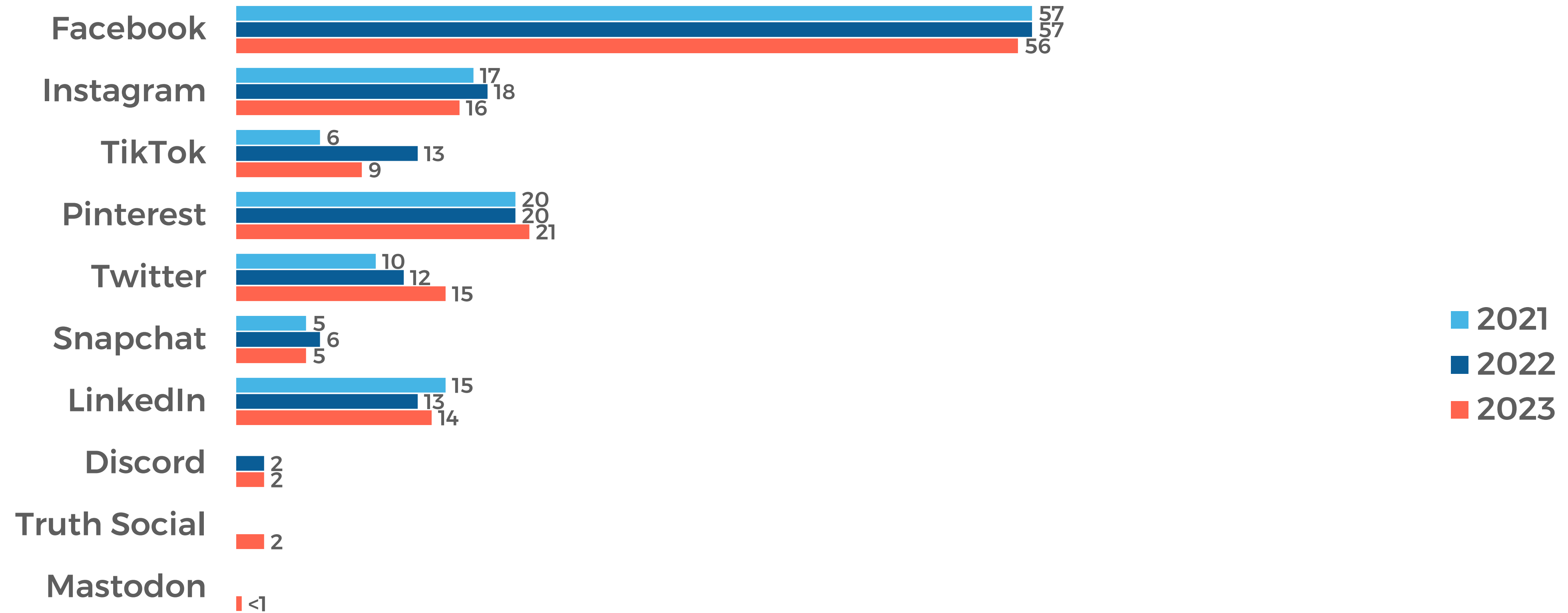
% USING SOCIAL MEDIA BRAND



Social Media Brand Usage (Age 55+)

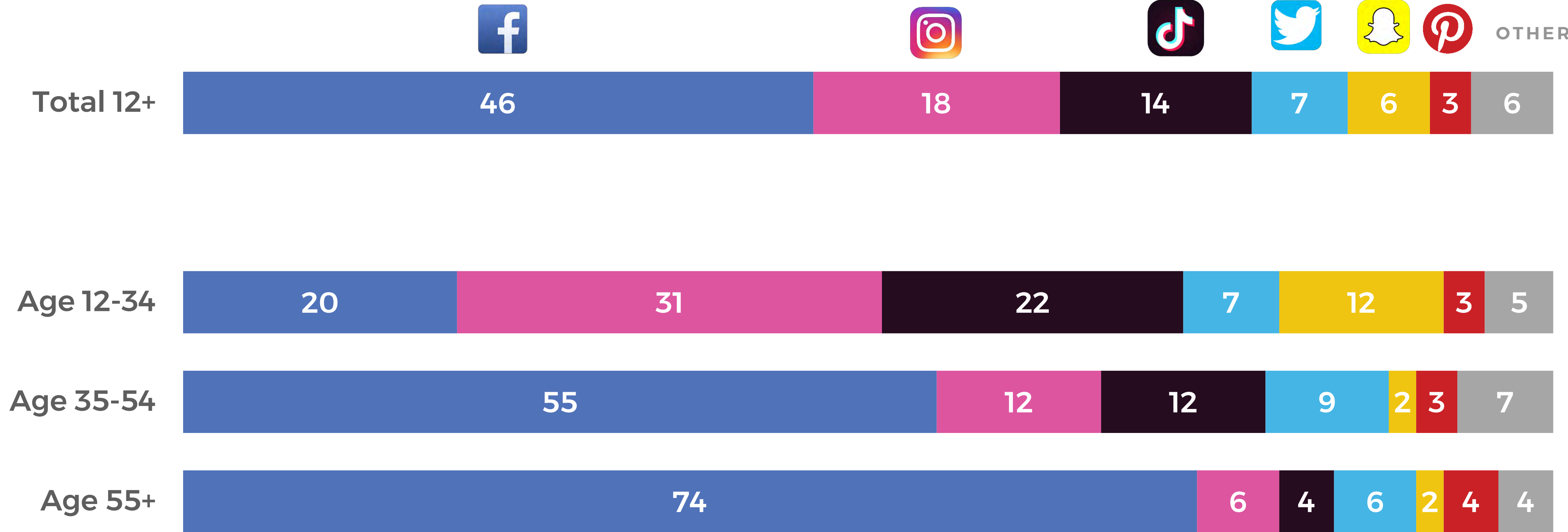
U.S. POPULATION

% USING SOCIAL MEDIA BRAND



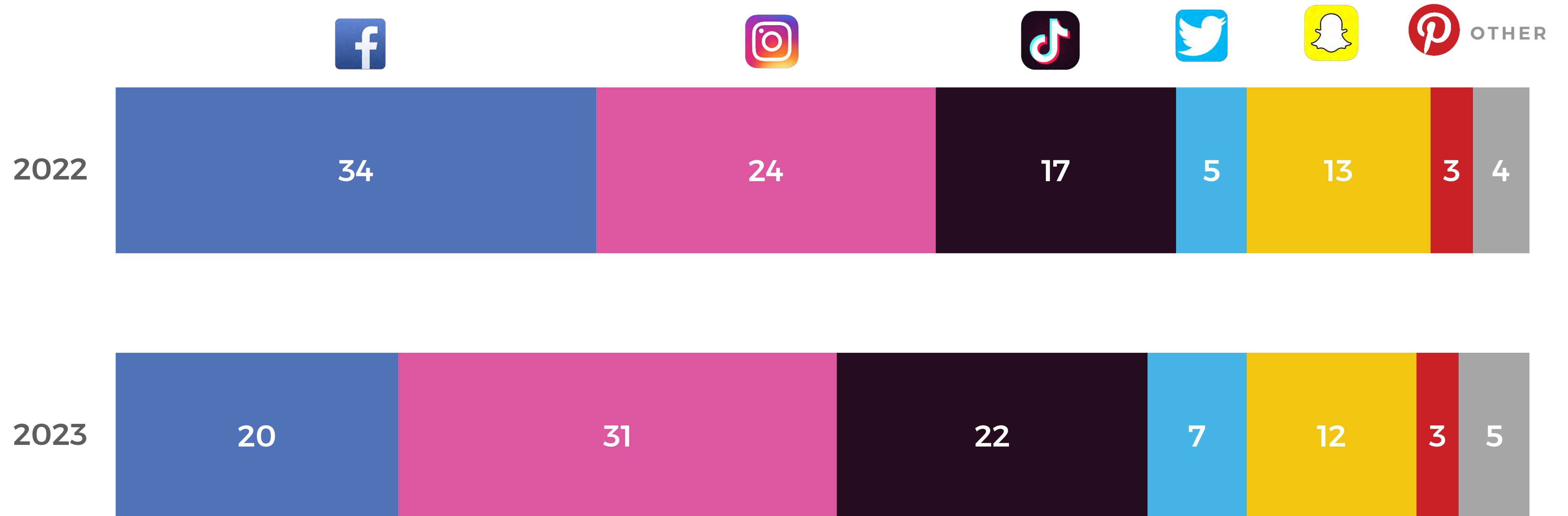
Social Media Brand Used Most Often

BASE: U.S. SOCIAL MEDIA USERS



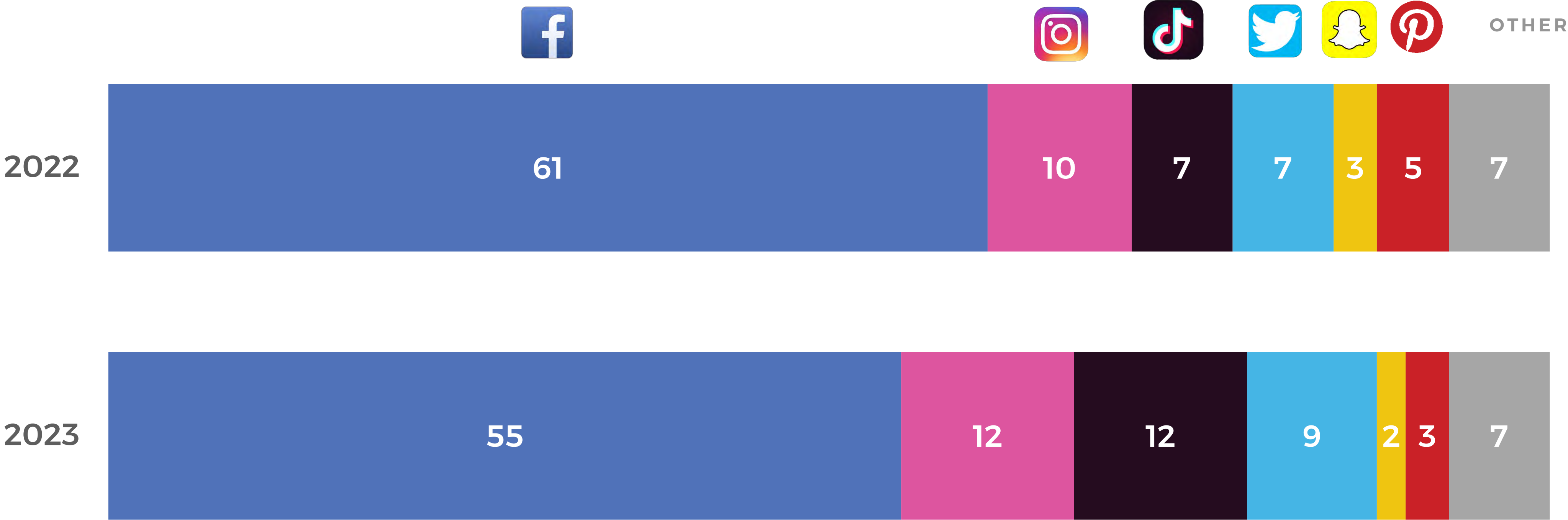
Social Media Brand Used Most Often (Age 12-34)

BASE: U.S. SOCIAL MEDIA USERS



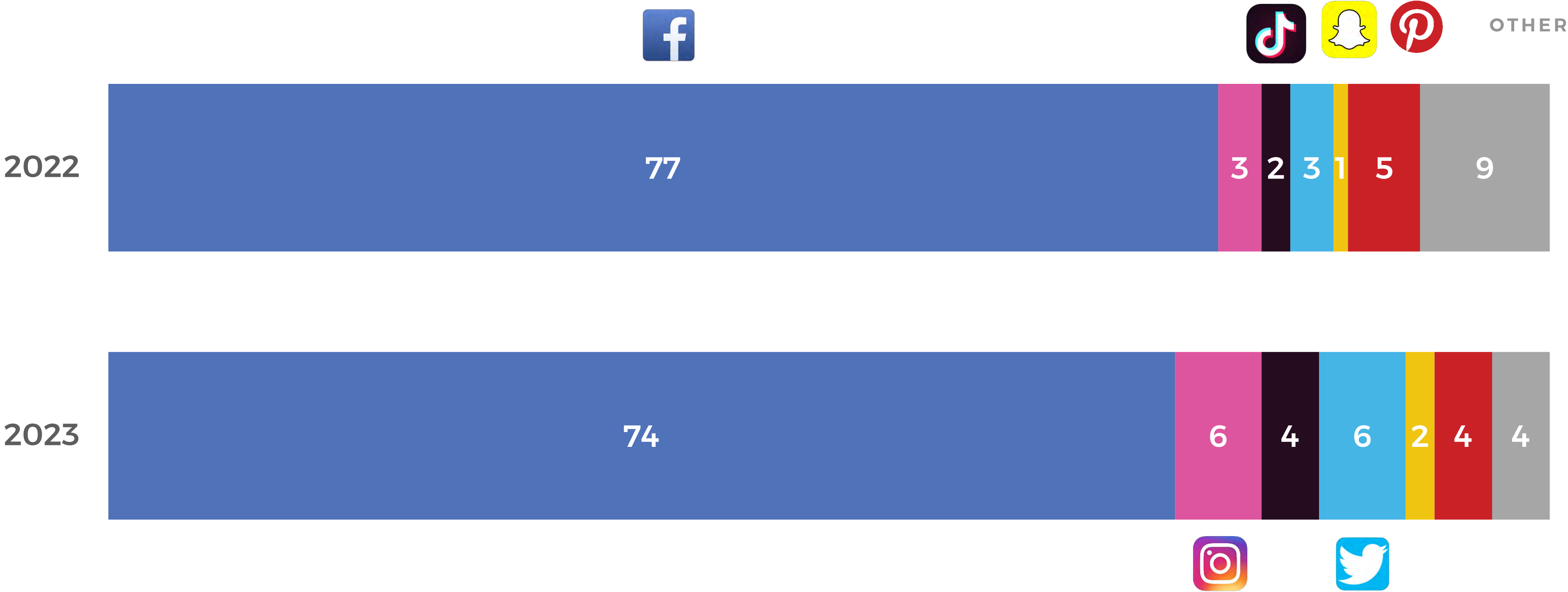
Social Media Brand Used Most Often (Age 35-54)

BASE: U.S. SOCIAL MEDIA USERS



Social Media Brand Used Most Often (Age 55+)

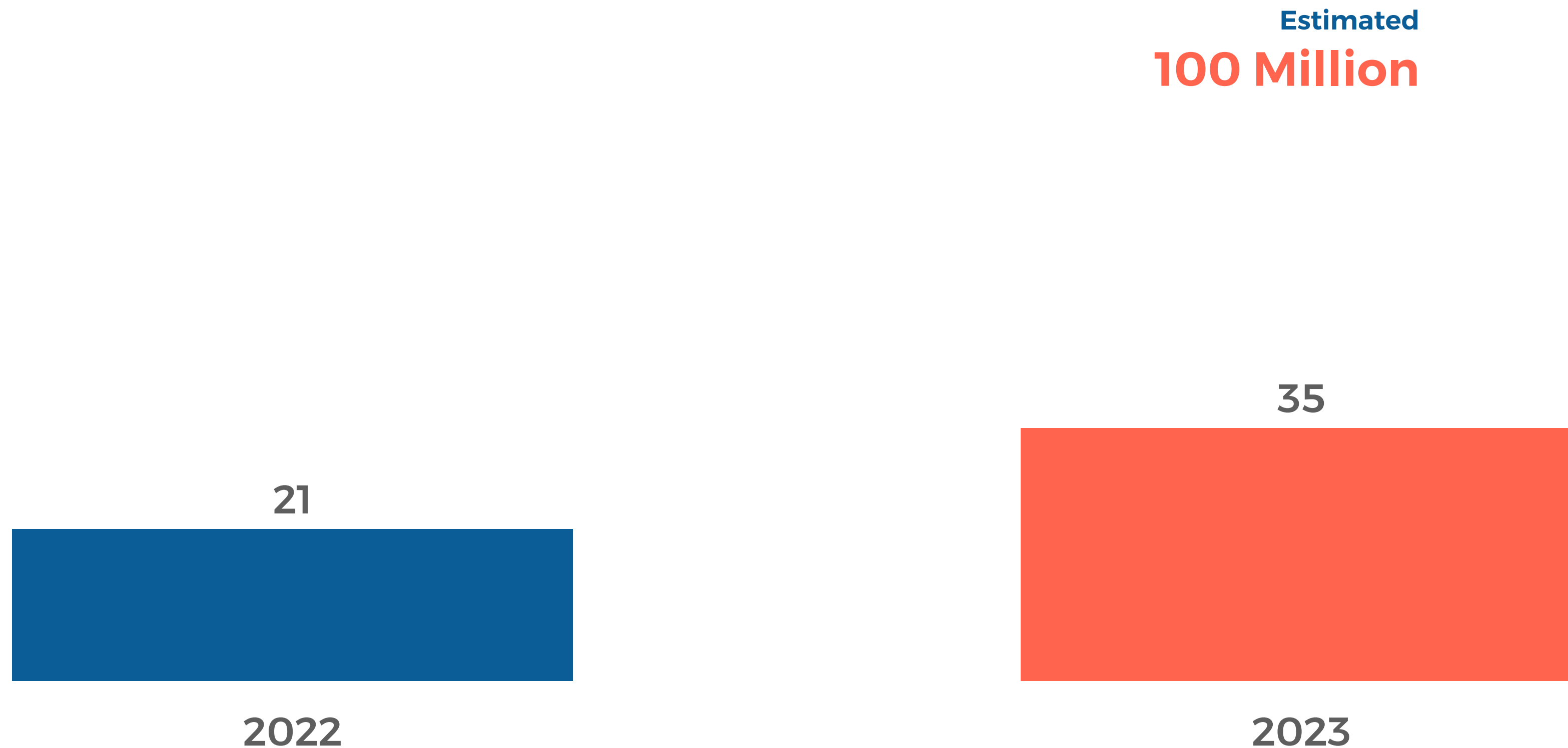
BASE: U.S. SOCIAL MEDIA USERS



Audio-Based Social Media Service Awareness

TOTAL U.S. POPULATION 12+

% AWARE OF SPOTIFY LIVE, TWITTER SPACES, CLUBHOUSE, OR AMAZON AMP



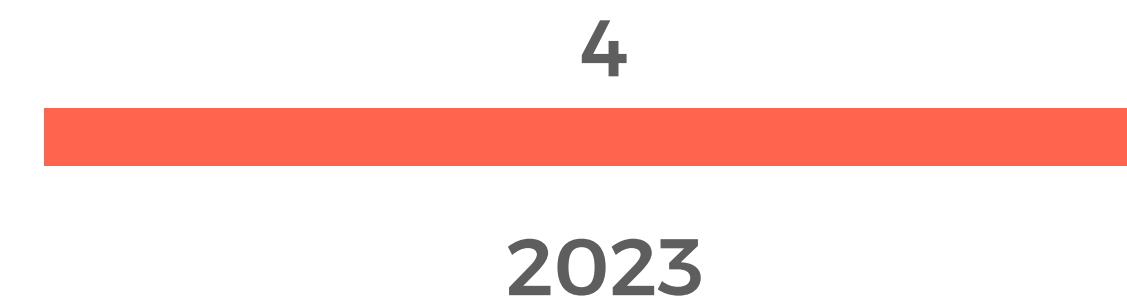
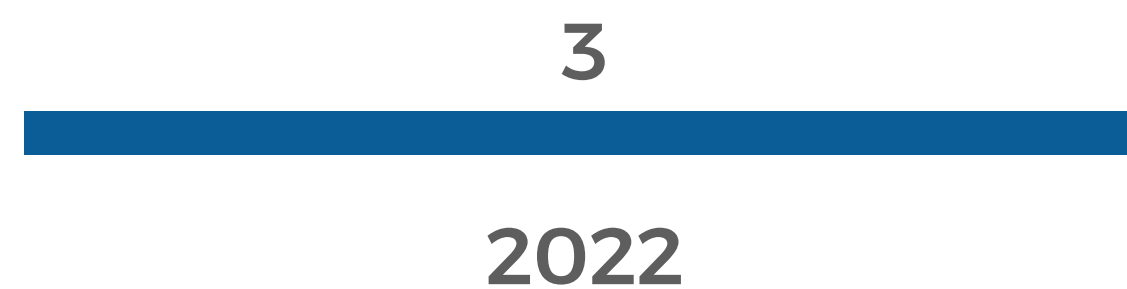
**2022 INCLUDES SPOTIFY LIVE, TWITTER SPACES, AND CLUBHOUSE*

Audio-Based Social Media Service Usage

TOTAL U.S. POPULATION 12+

% USING SPOTIFY LIVE, TWITTER SPACES, CLUBHOUSE, OR AMAZON AMP

Estimated
11 Million



**2022 INCLUDES SPOTIFY LIVE, TWITTER SPACES, AND CLUBHOUSE*



 THE INFINITE DIAL[®] 2023

Online Audio



WONDERY



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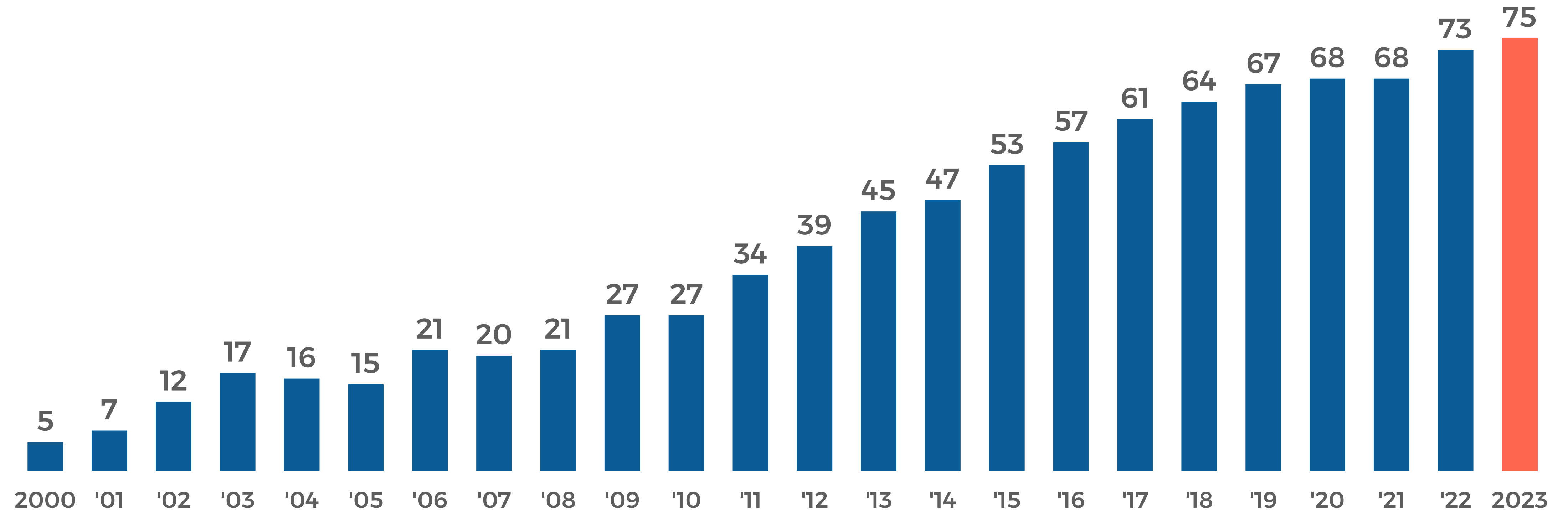
Monthly Online Audio Listening

TOTAL U.S. POPULATION 12+

% LISTENED TO ONLINE AUDIO IN LAST MONTH

ONLINE AUDIO = LISTENING TO AM/FM RADIO STATIONS ONLINE AND/OR LISTENING TO STREAMED AUDIO CONTENT AVAILABLE ONLY ON THE INTERNET

Estimated
214 Million

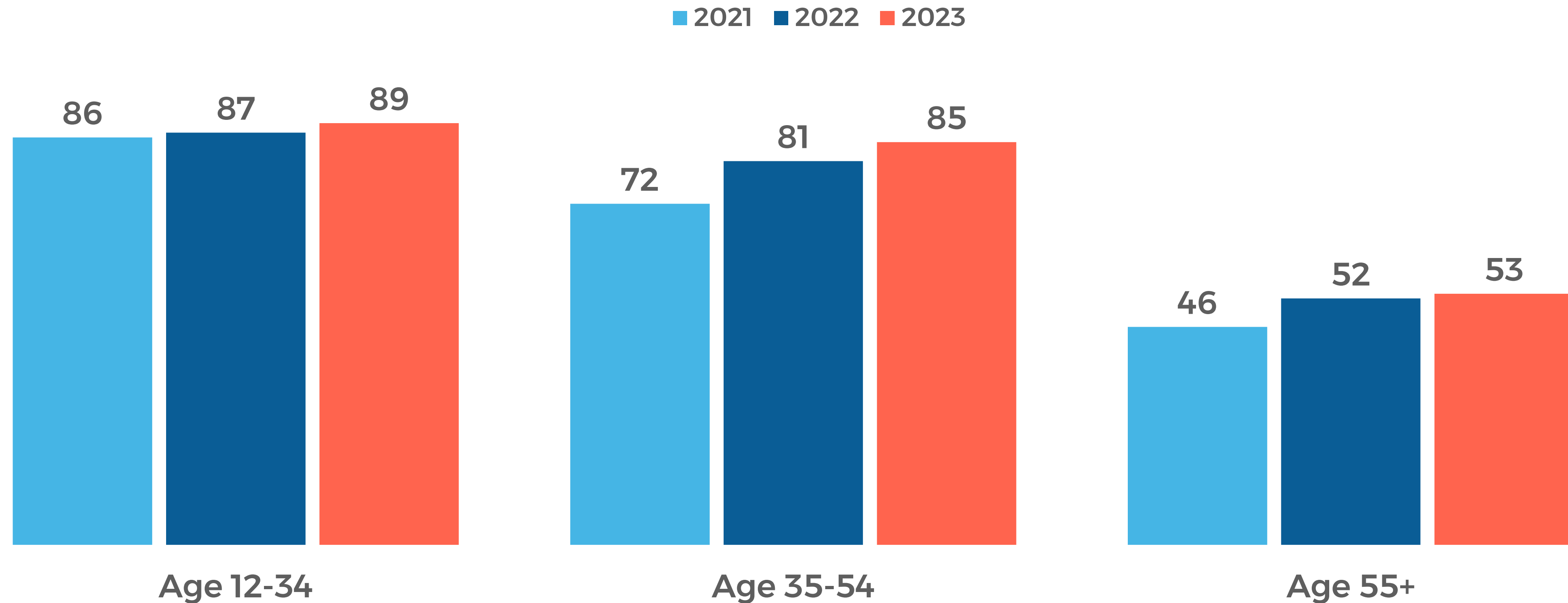


Monthly Online Audio Listening

TOTAL U.S. POPULATION 12+

% LISTENED TO ONLINE AUDIO IN LAST MONTH

ONLINE AUDIO = LISTENING TO AM/FM RADIO STATIONS ONLINE AND/OR LISTENING TO STREAMED AUDIO CONTENT AVAILABLE ONLY ON THE INTERNET



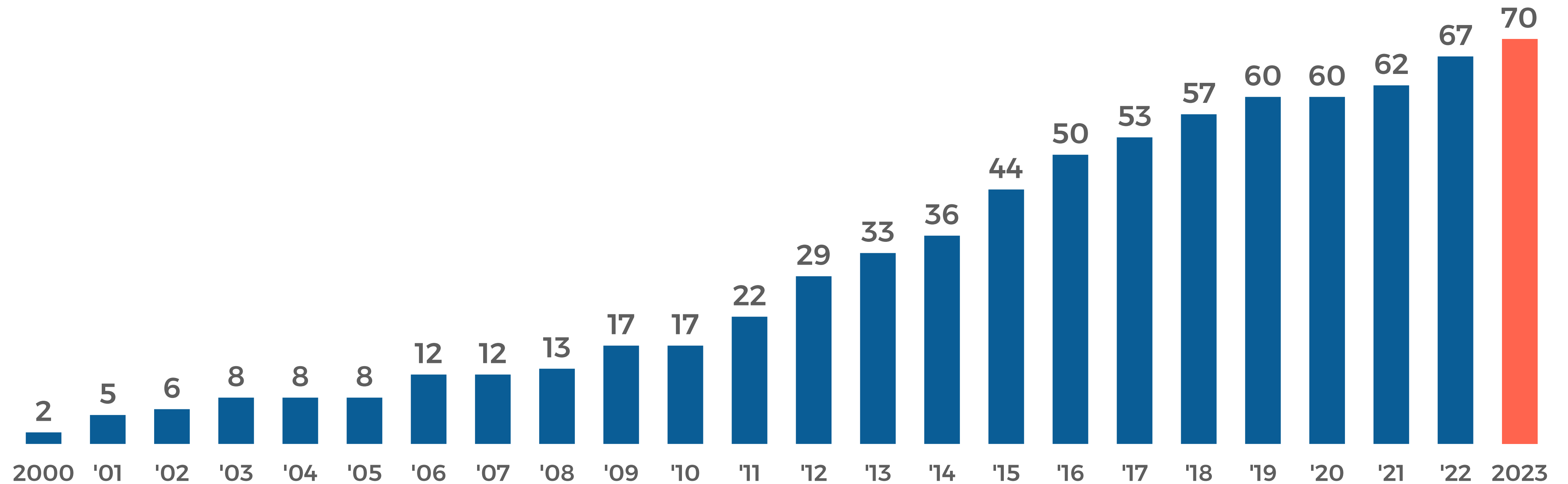
Weekly Online Audio Listening

TOTAL U.S. POPULATION 12+

% LISTENED TO ONLINE AUDIO IN LAST WEEK

ONLINE AUDIO = LISTENING TO AM/FM RADIO STATIONS ONLINE AND/OR LISTENING TO STREAMED AUDIO CONTENT AVAILABLE ONLY ON THE INTERNET

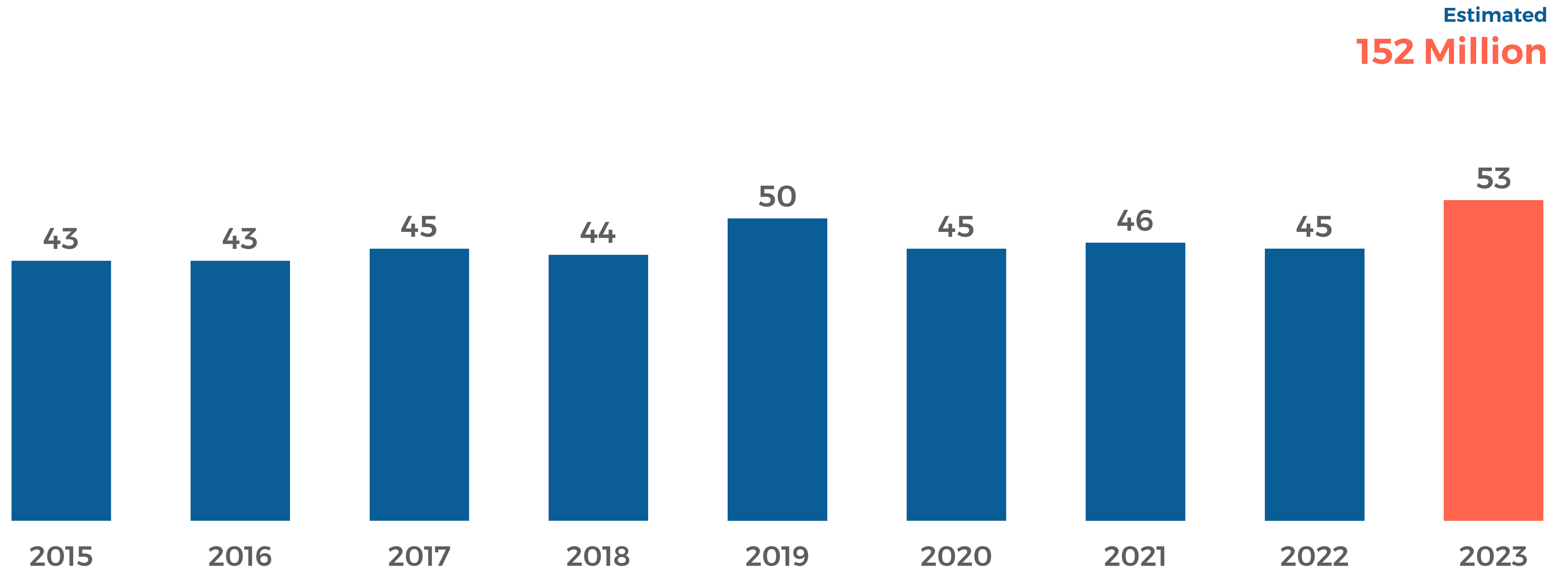
Estimated
200 Million



Audiobook Listening

TOTAL U.S. POPULATION 12+

% EVER LISTENED TO AN AUDIOBOOK

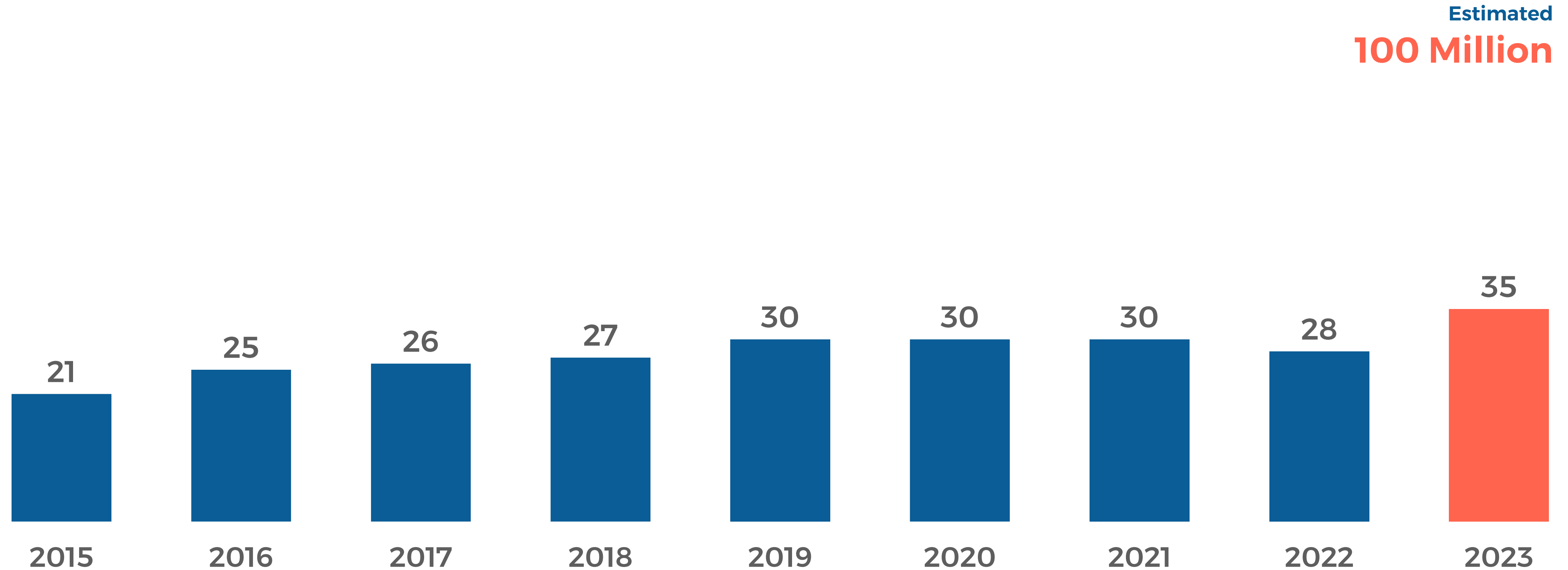


Estimated
152 Million

Audiobook Listening in Last Year

TOTAL U.S. POPULATION 12+

% LISTENED TO AN AUDIOBOOK IN THE LAST YEAR

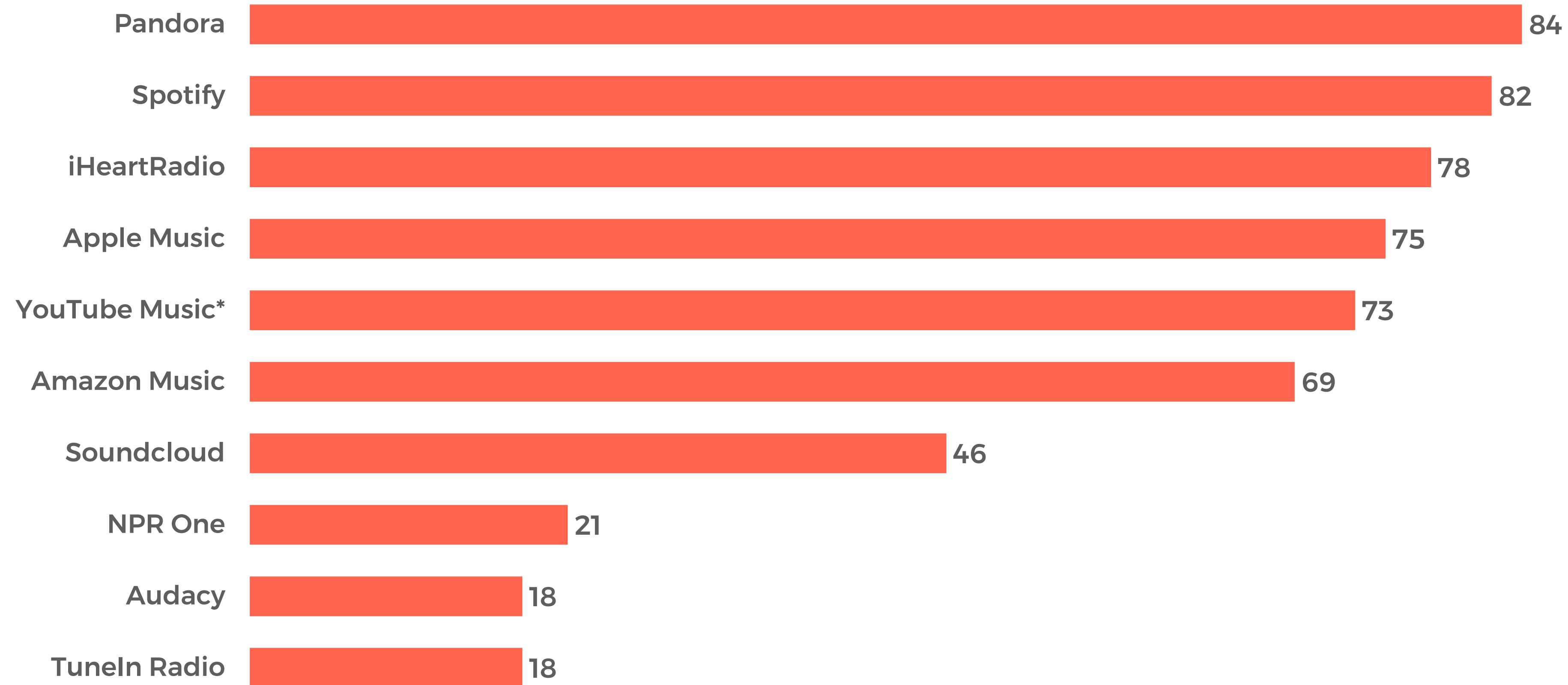


Online Audio Brands

Online Audio Brand Awareness

TOTAL U.S. POPULATION 12+

% AWARE OF ONLINE AUDIO BRAND

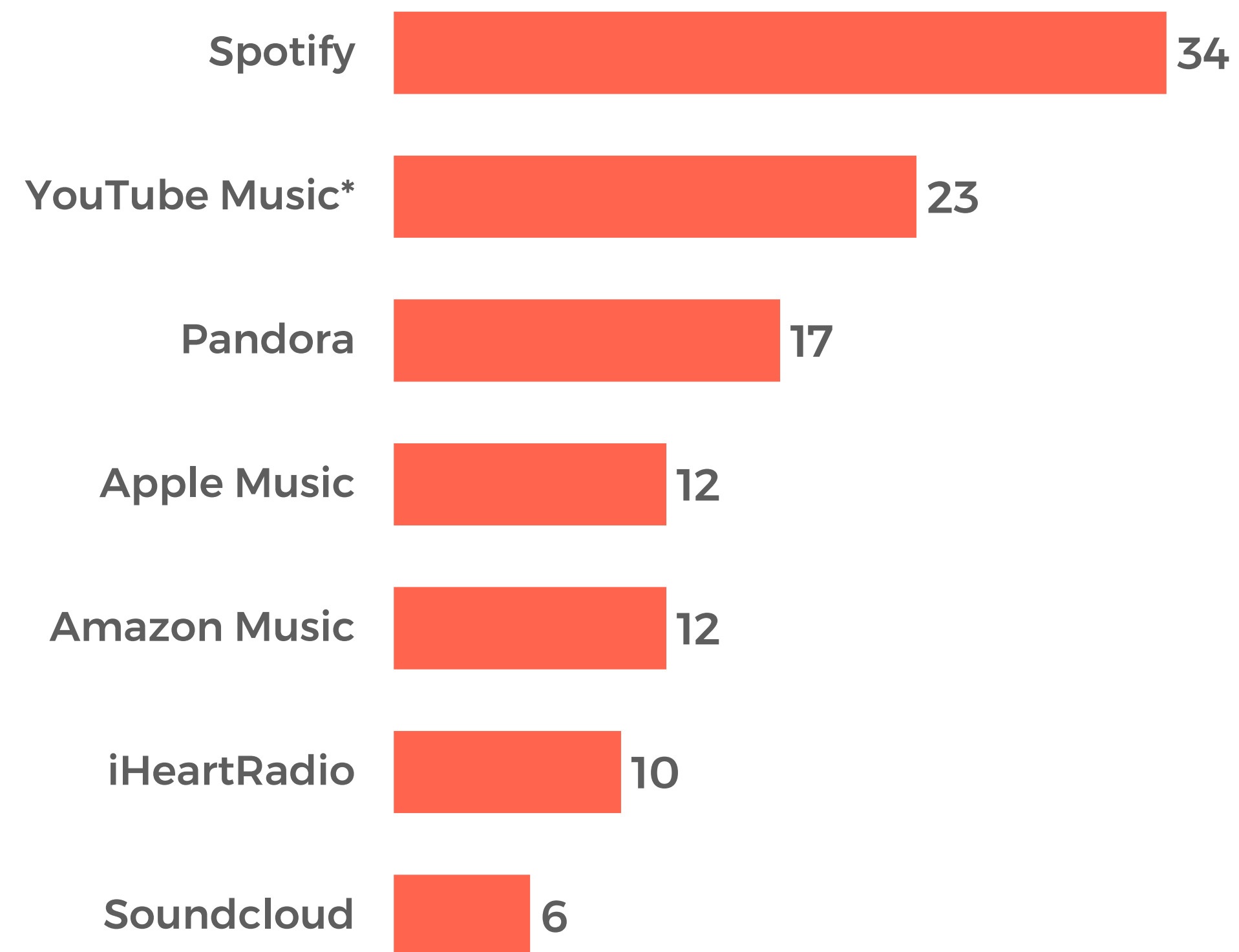


*ASKED AS: "YOUTUBE MUSIC, THE STREAMING MUSIC SERVICE FROM YOUTUBE"

Online Audio Brands Listened to in Last Month

TOTAL U.S. POPULATION 12+

% LISTENED TO ONLINE AUDIO BRAND IN LAST MONTH

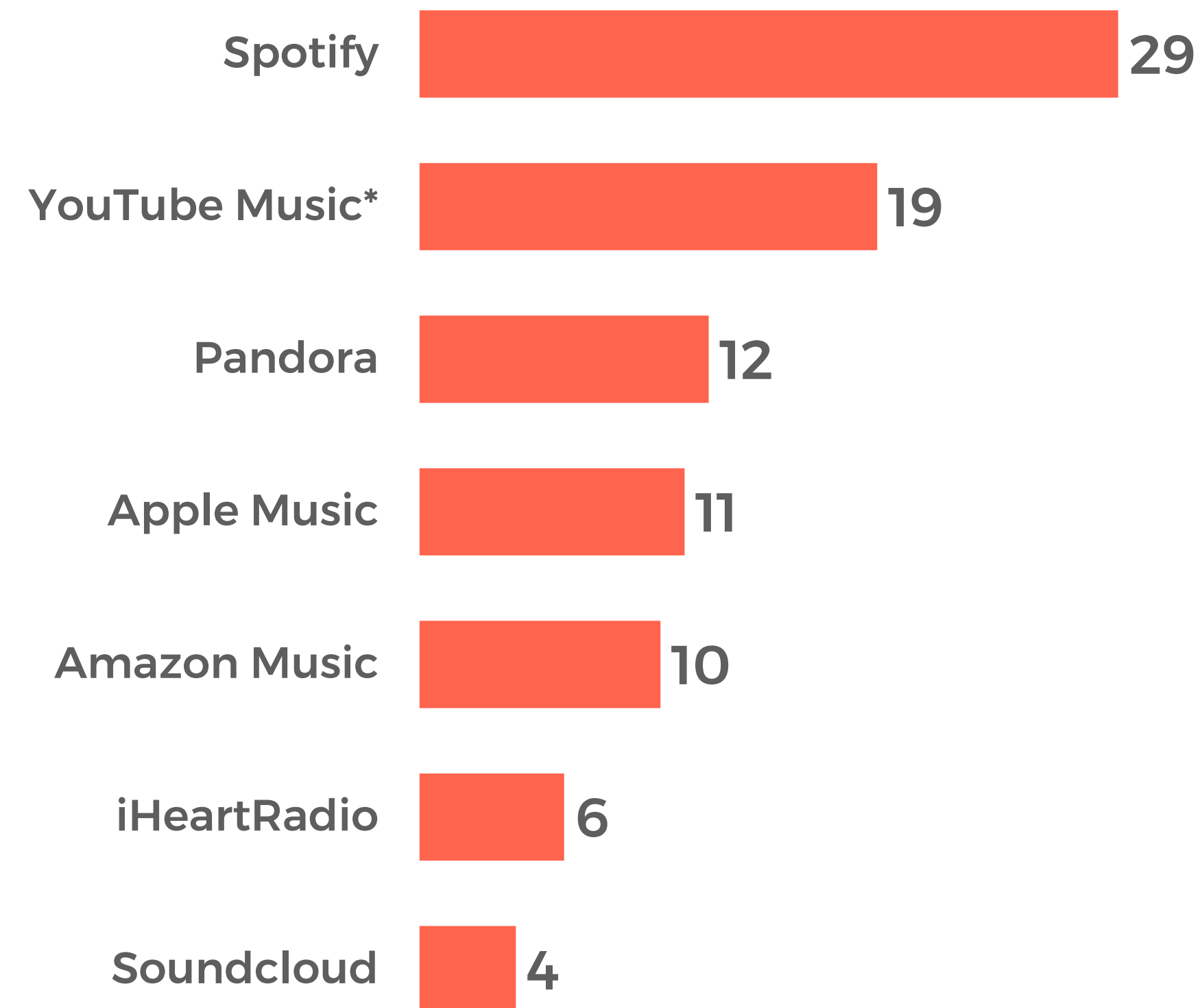


*ASKED AS: "YOUTUBE MUSIC, THE STREAMING MUSIC SERVICE FROM YOUTUBE"

Online Audio Brands Listened to in Last Week

TOTAL U.S. POPULATION 12+

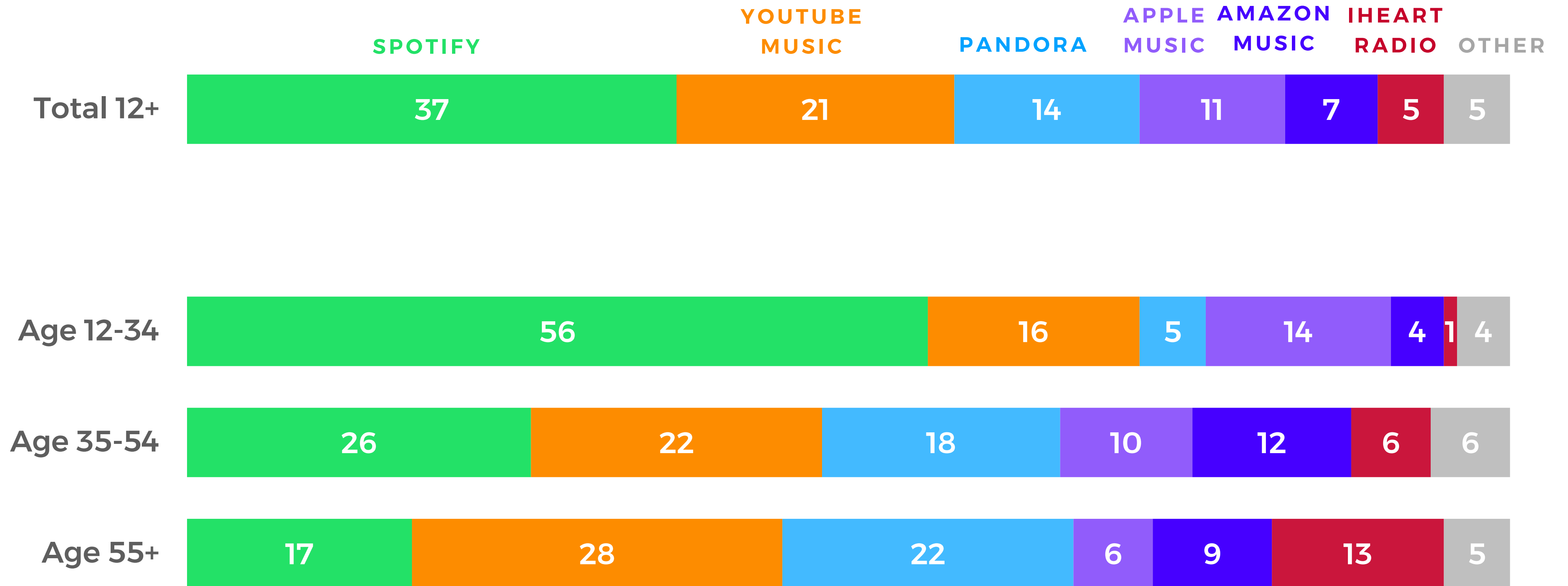
% LISTENED TO ONLINE AUDIO BRAND IN LAST WEEK



*ASKED AS: "YOUTUBE MUSIC, THE STREAMING MUSIC SERVICE FROM YOUTUBE"

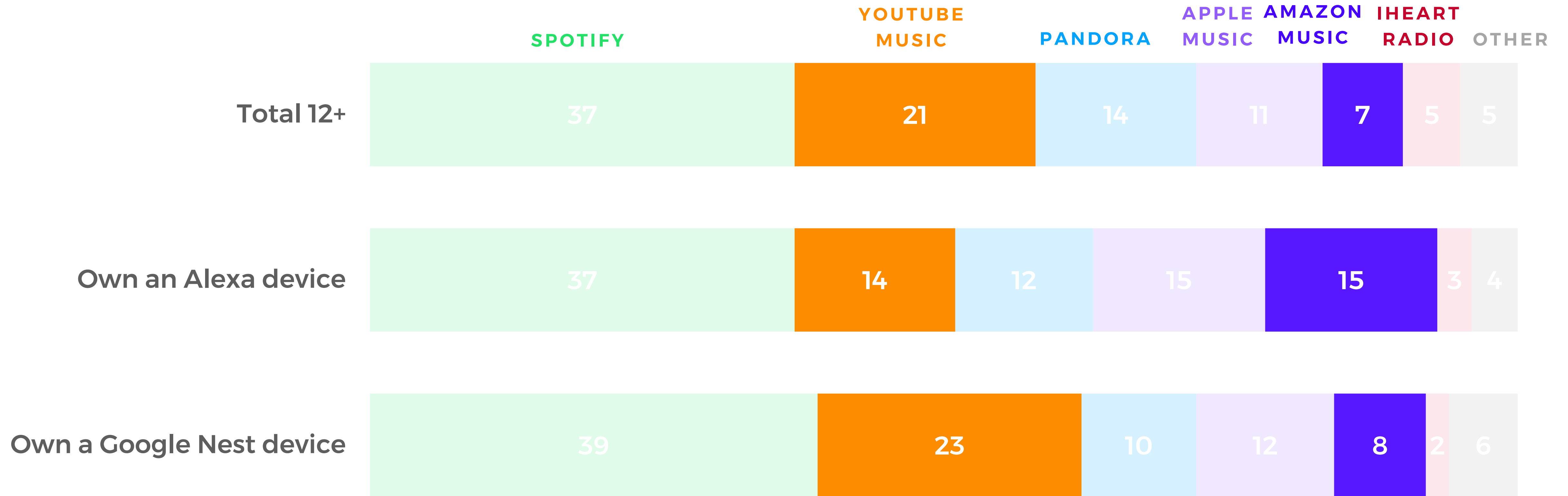
Online Audio Brand Used Most Often

BASE: U.S. AGE 12+ AND CURRENTLY EVER USE ANY ONLINE AUDIO BRAND



Online Audio Brand Used Most Often

BASE: U.S. AGE 12+ SMART SPEAKER OWNERS WHO CURRENTLY EVER USE ANY ONLINE AUDIO BRAND

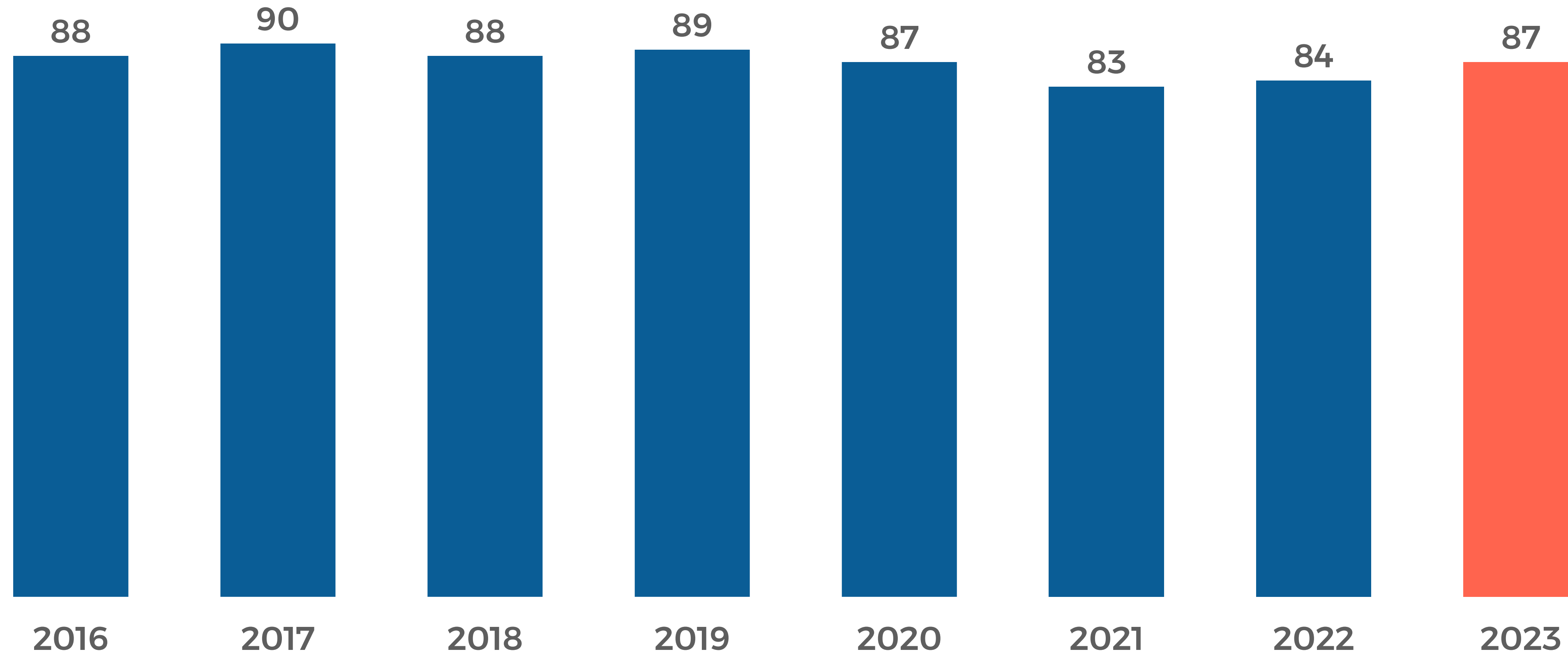


In-Car Media

Driven/Ridden in Car in Last Month

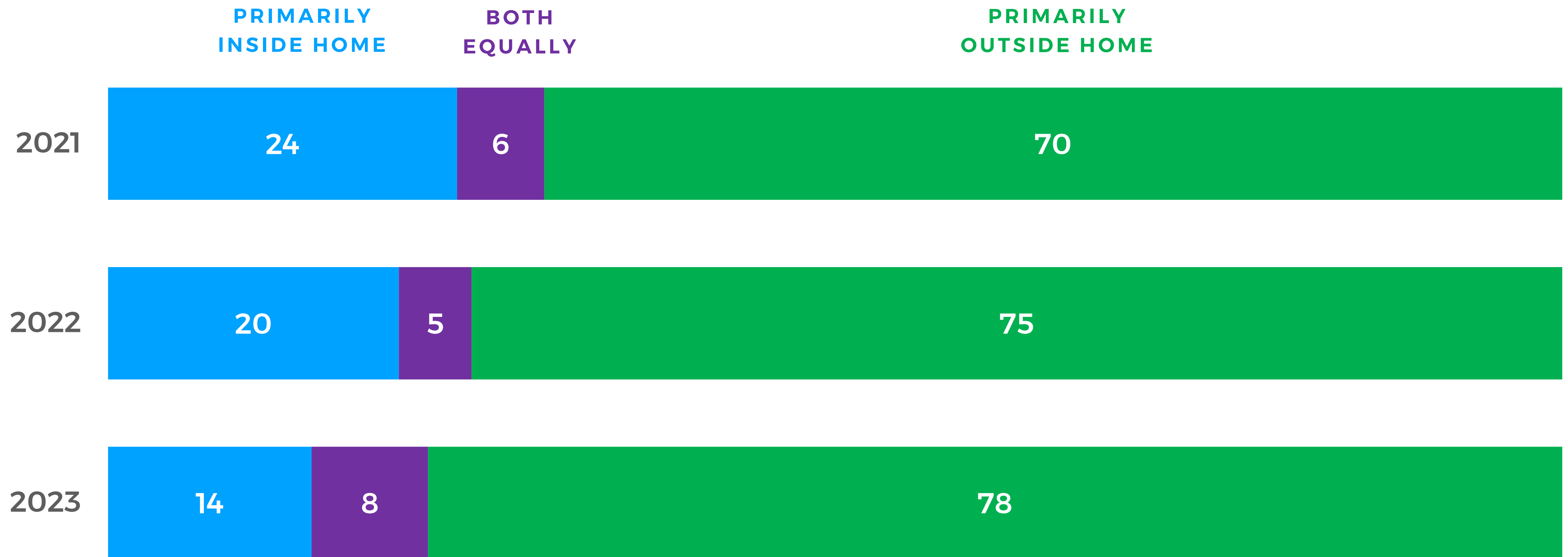
BASE: U.S. AGE 18+

% DRIVING OR RIDING IN CAR/VEHICLE IN LAST MONTH



Primary Work Location

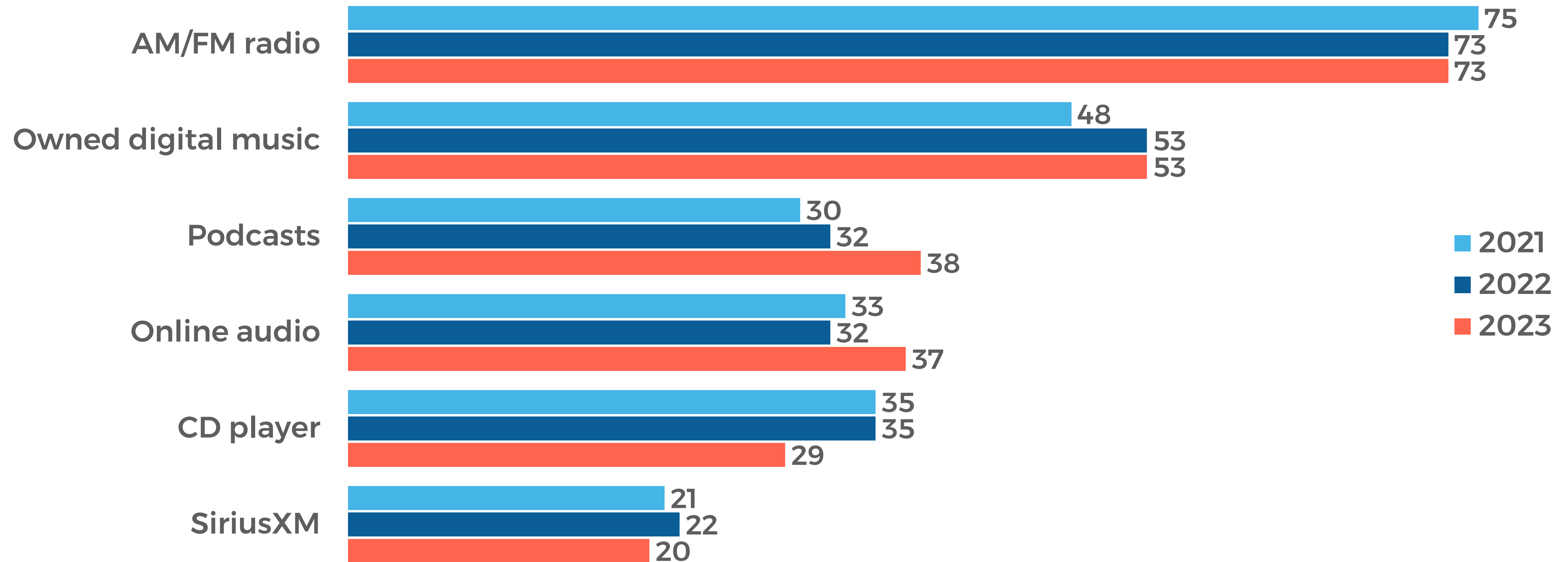
BASE: U.S. AGE 18+ WHO ARE CURRENTLY EMPLOYED FULL-TIME OR PART-TIME; 54%



Audio Sources Currently Ever Used in Car

BASE: U.S. AGE 18+ AND HAS DRIVEN/RIDDEN IN CAR IN LAST MONTH; 87%

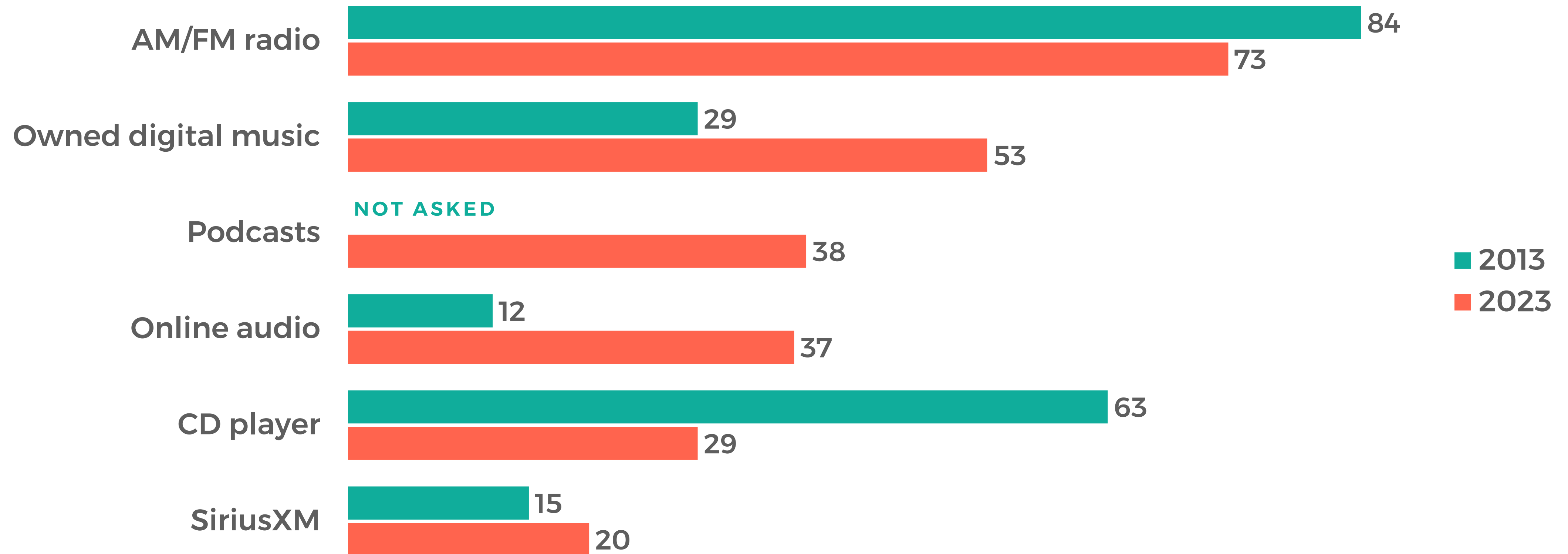
% USING AUDIO SOURCE IN CAR



Audio Sources Currently Ever Used in Car

BASE: U.S. AGE 18+ AND HAS DRIVEN/RIDDEN IN CAR IN LAST MONTH

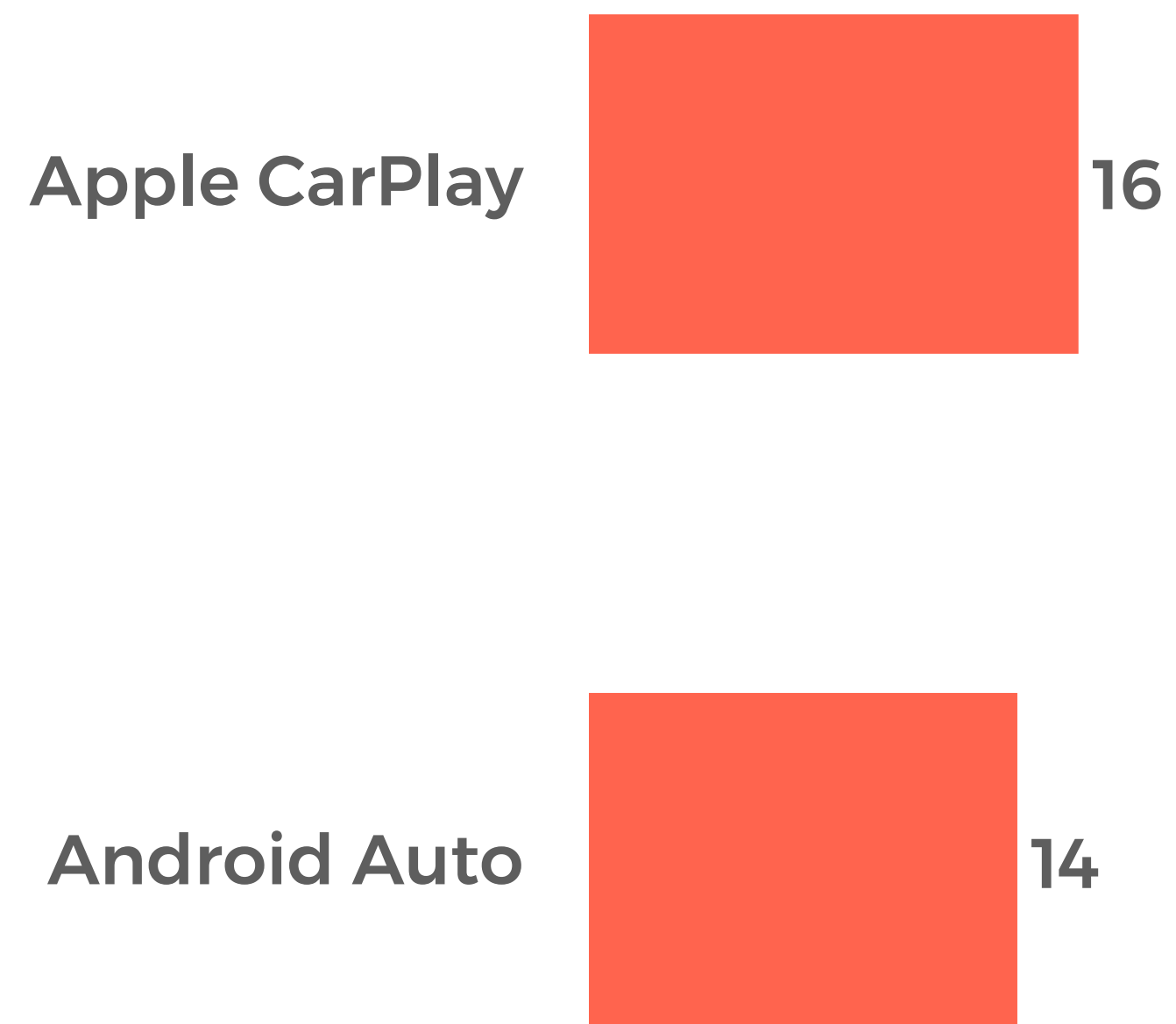
% USING AUDIO SOURCE IN CAR



Mobile Operating Systems in Primary Vehicle

BASE: U.S. AGE 18+, DRIVEN/RIDDEN IN CAR IN LAST MONTH, 87%

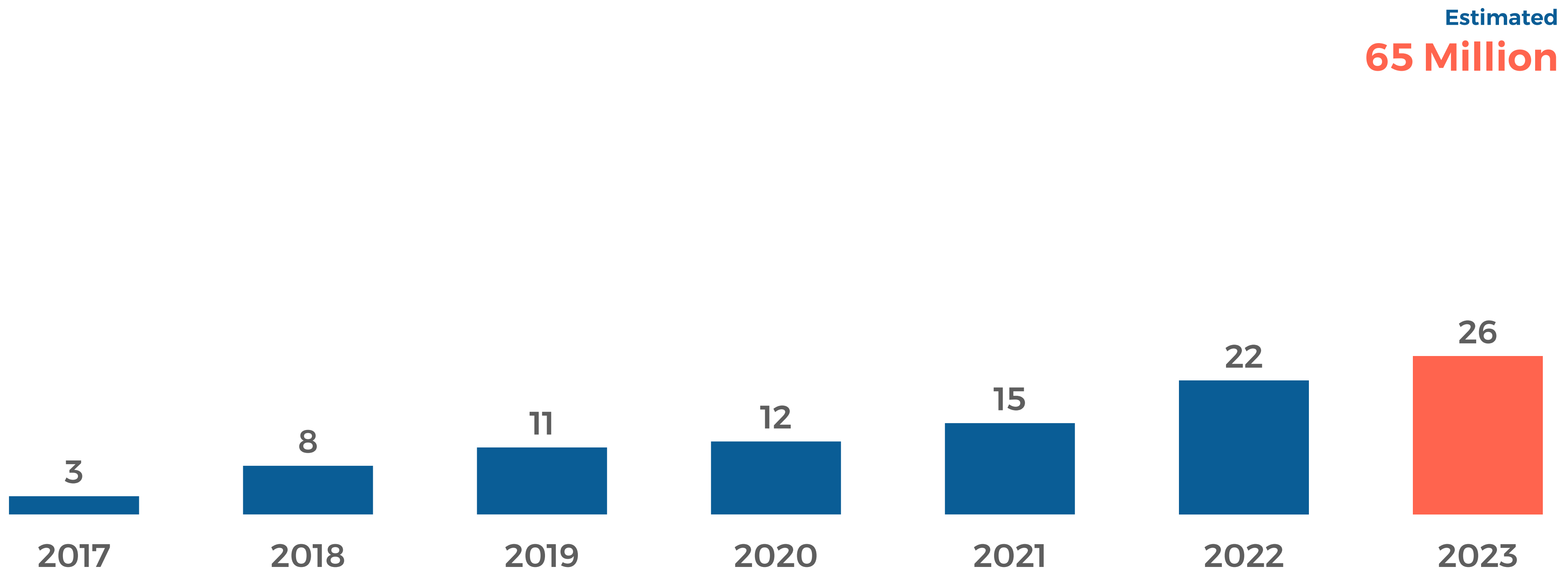
% HAVE SYSTEM IN PRIMARY VEHICLE



Mobile Operating Systems in Primary Vehicle

BASE: U.S. AGE 18+, DRIVEN/RIDDEN IN CAR IN LAST MONTH, 87%

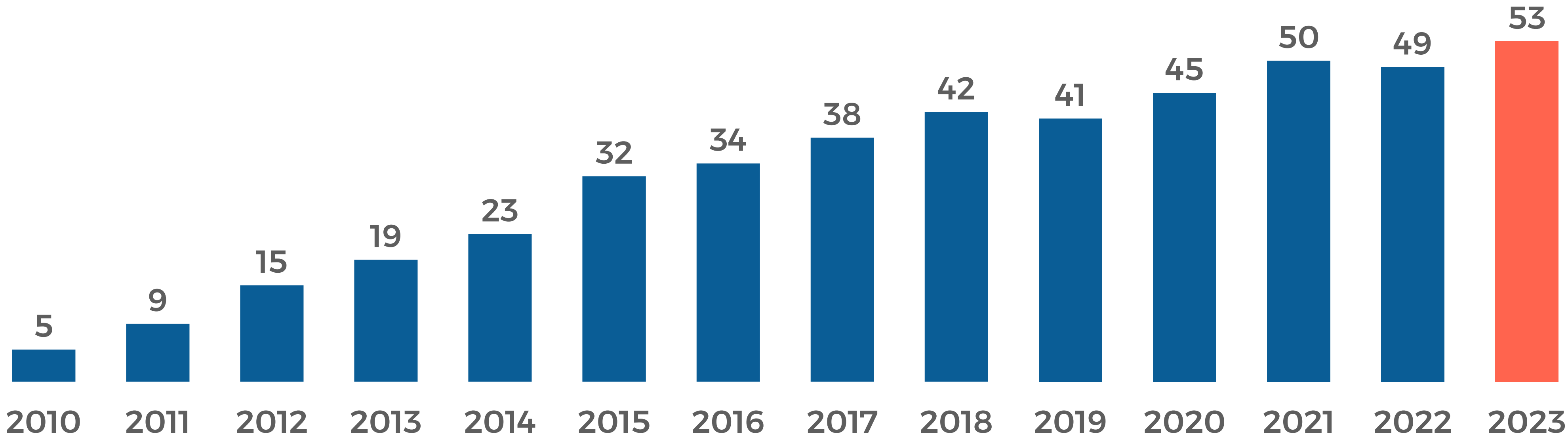
% HAVE APPLE CARPLAY OR ANDROID AUTO IN PRIMARY VEHICLE



Online Audio Listening in Car Through a Cell Phone

TOTAL U.S. POPULATION 12+

% EVER LISTENED TO ONLINE AUDIO IN A CAR THROUGH A CELL PHONE

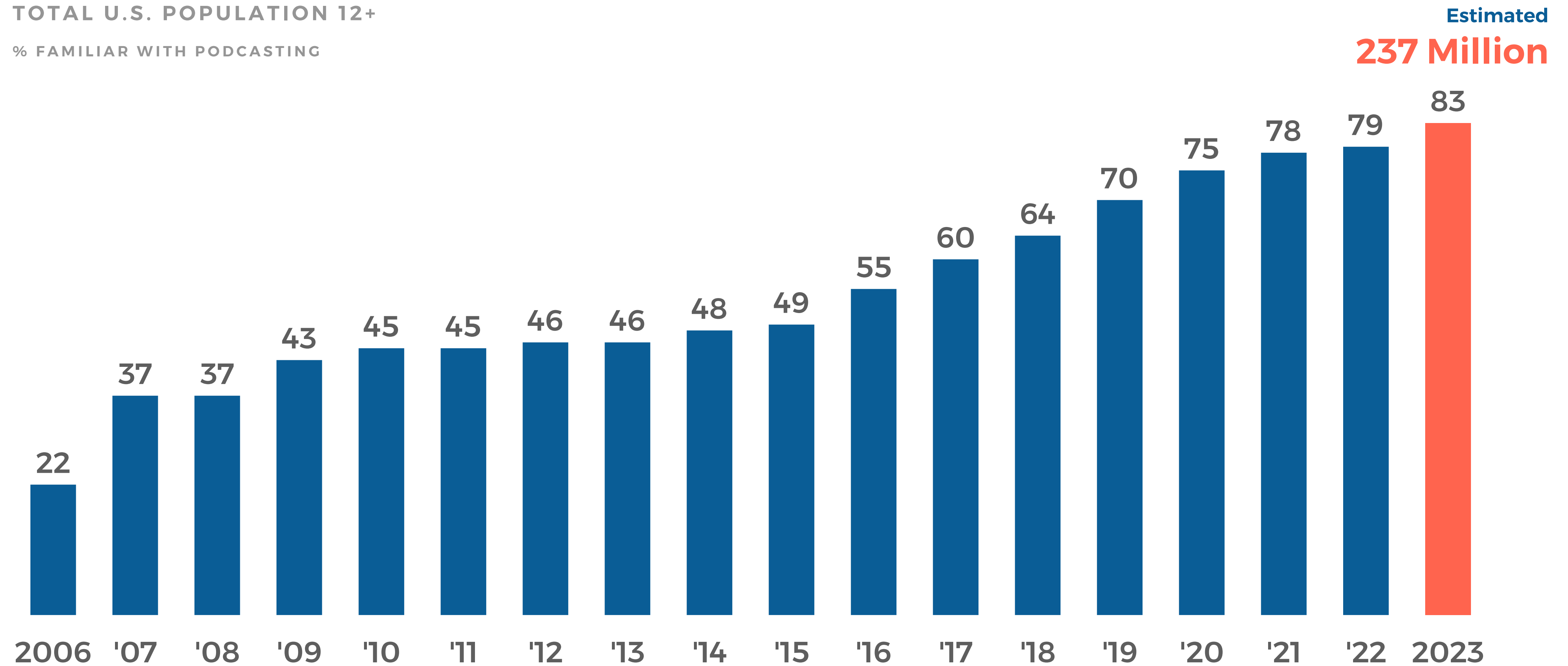


Podcasting

Podcasting Familiarity

TOTAL U.S. POPULATION 12+

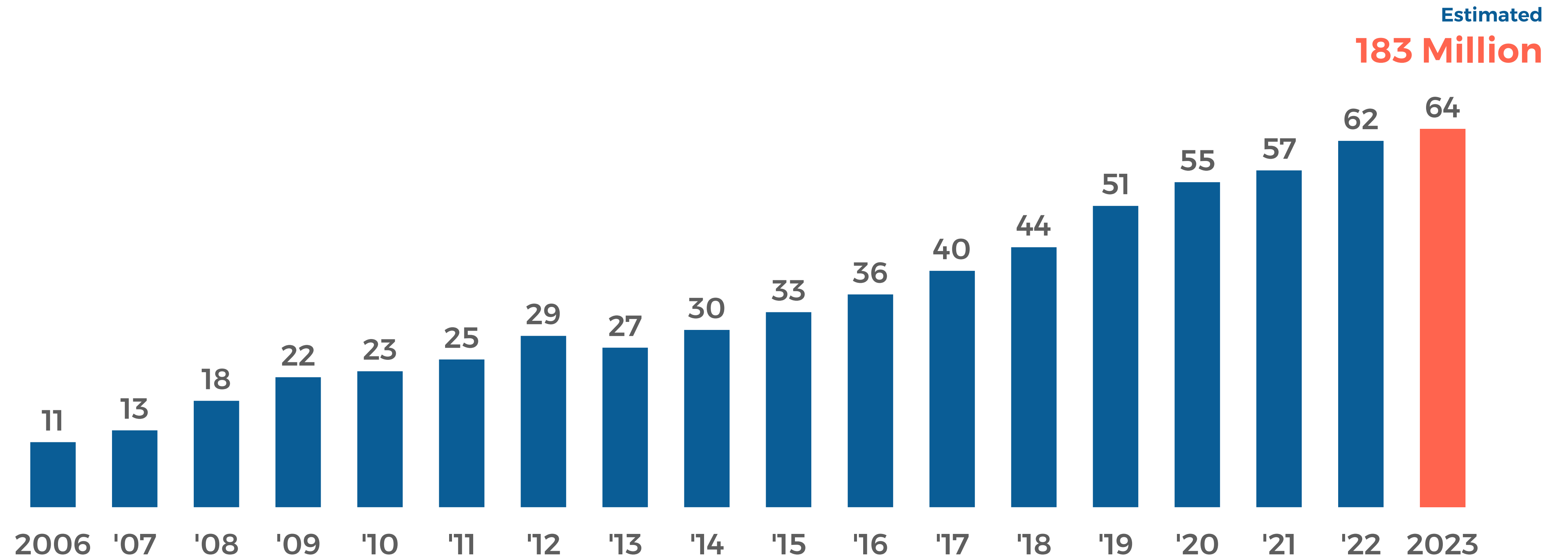
% FAMILIAR WITH PODCASTING



Podcasting Listening

TOTAL U.S. POPULATION 12+

% EVER LISTENED TO A PODCAST

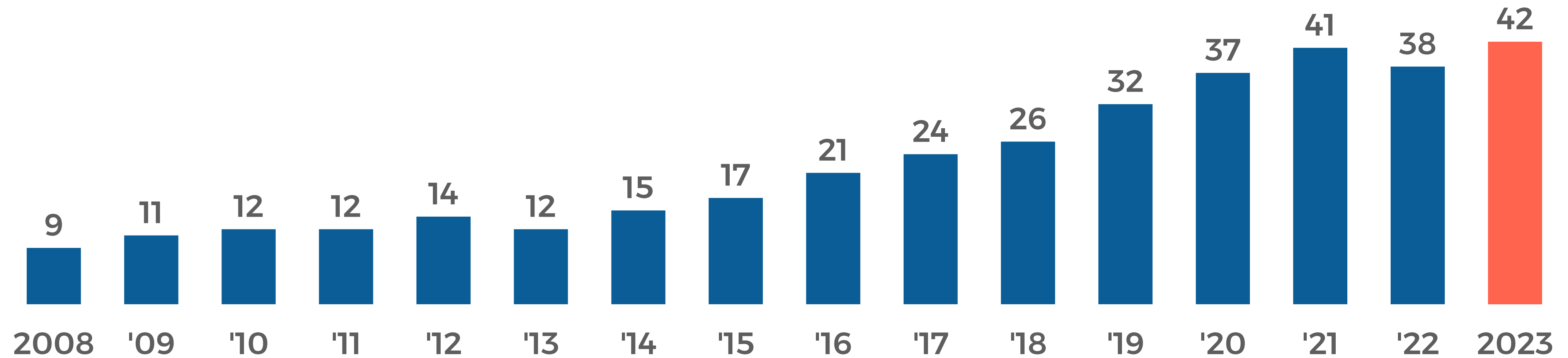


Monthly Podcast Listening

TOTAL U.S. POPULATION 12+

% LISTENED TO A PODCAST IN LAST MONTH

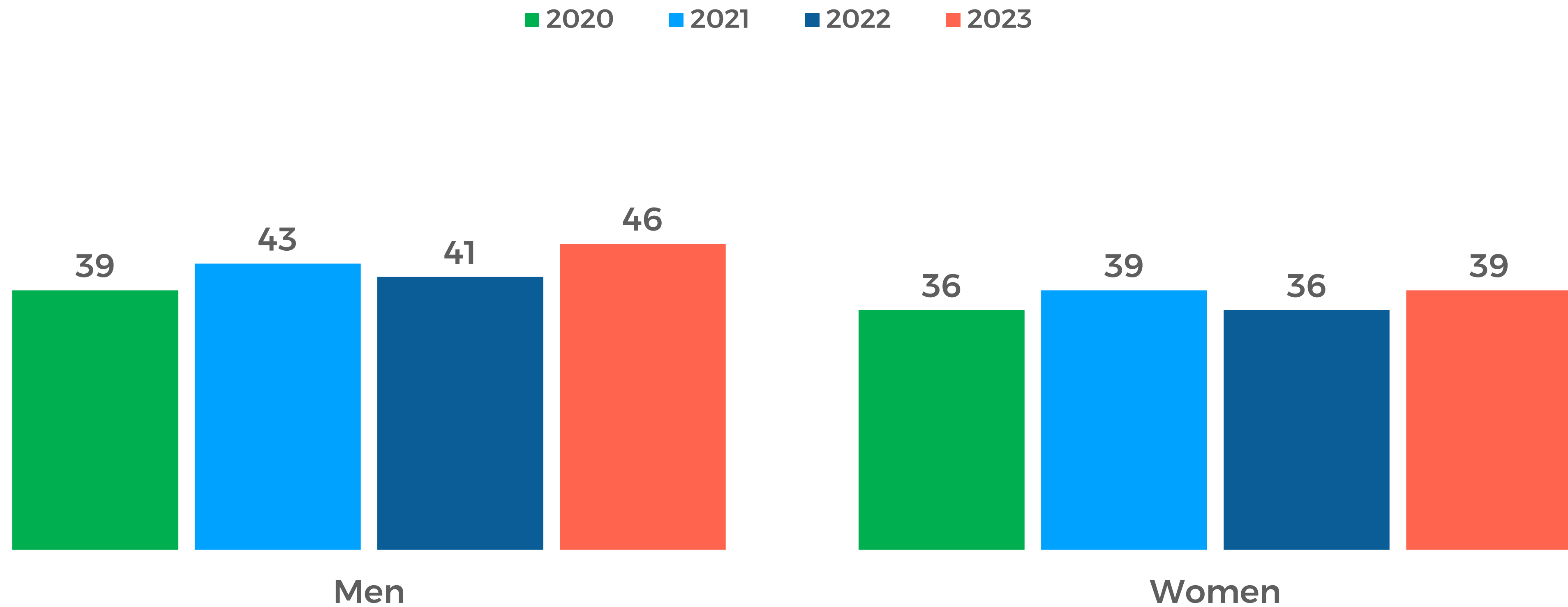
Estimated
120 Million



Monthly Podcast Listening

U.S. POPULATION

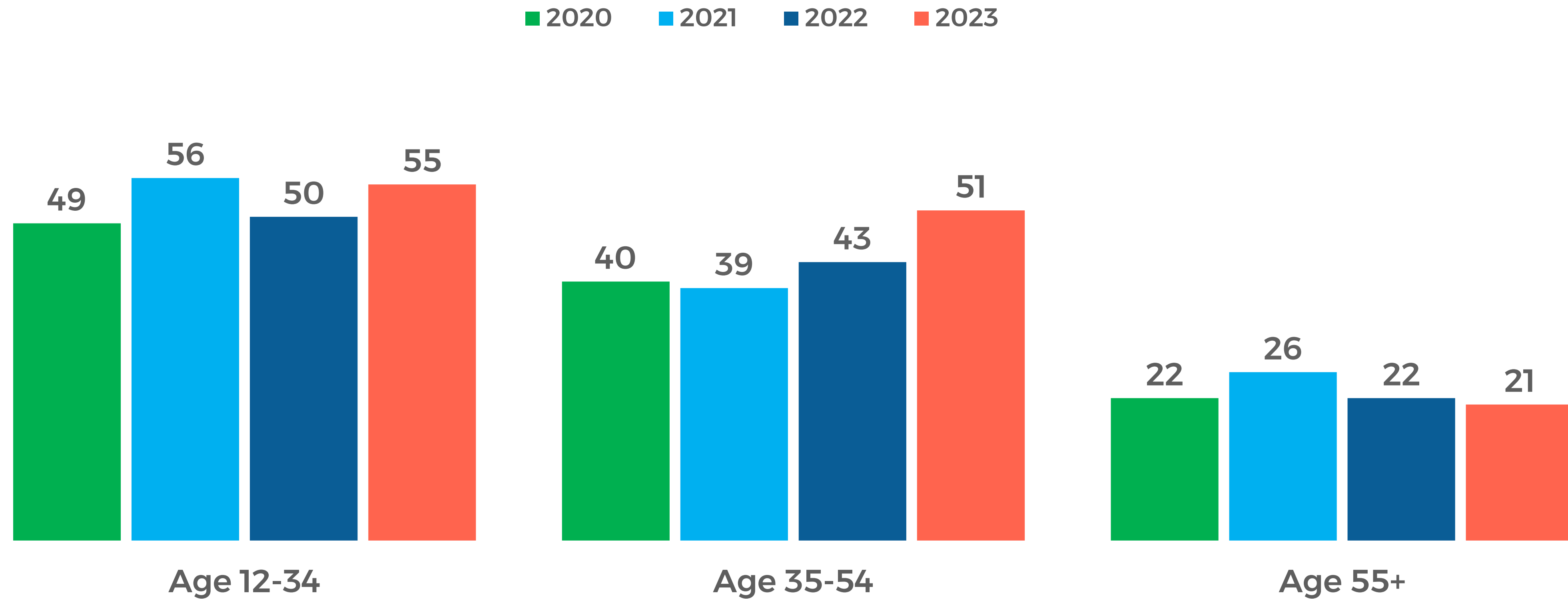
% LISTENED TO A PODCAST IN LAST MONTH



Monthly Podcast Listening

U.S. POPULATION

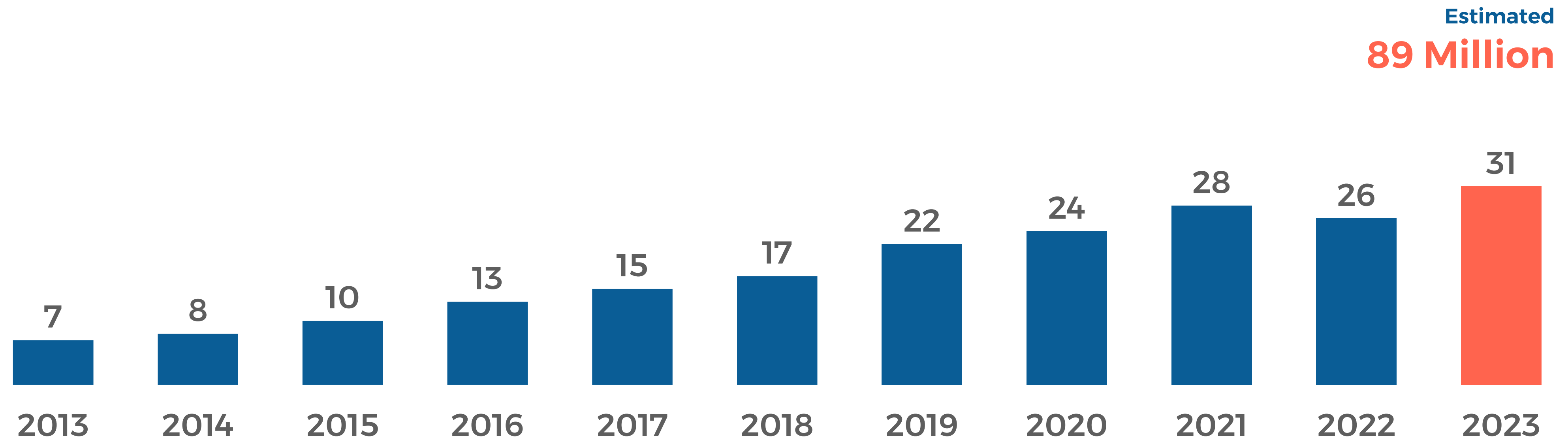
% LISTENED TO A PODCAST IN LAST MONTH



Weekly Podcast Listening

TOTAL U.S. POPULATION 12+

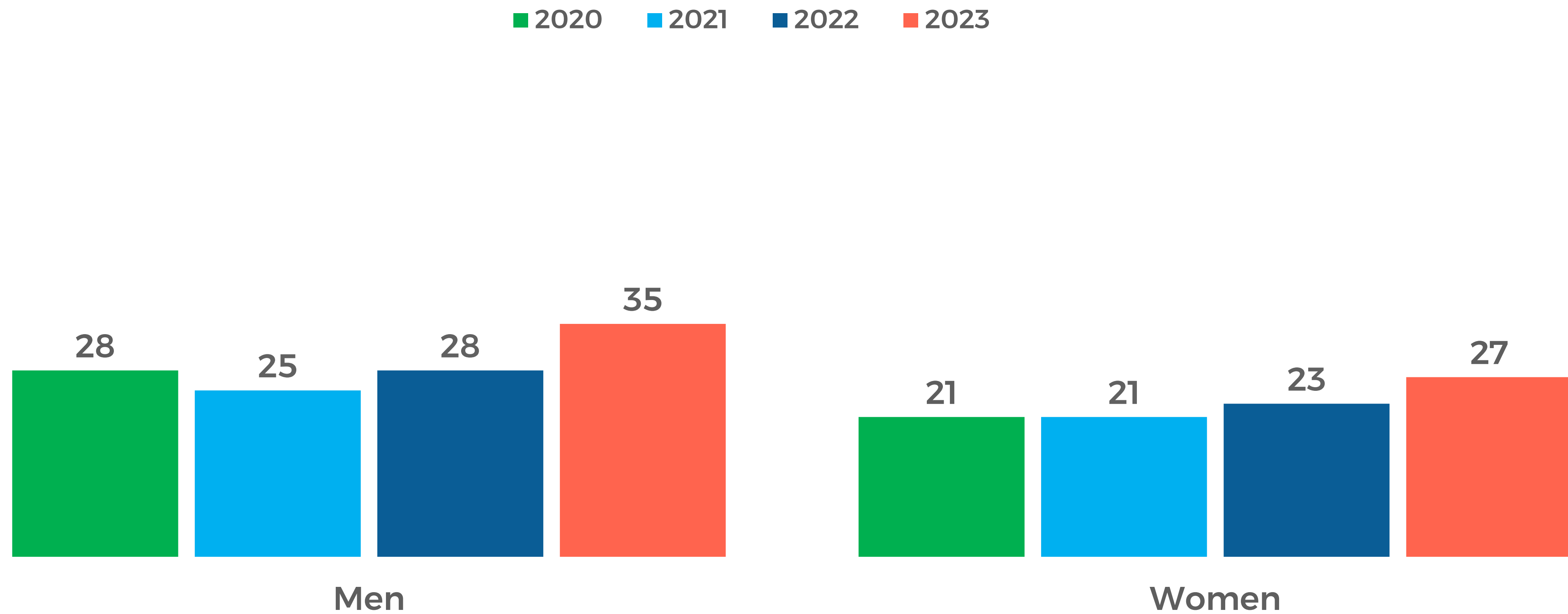
% LISTENED TO A PODCAST IN LAST WEEK



Weekly Podcast Listening

U.S. POPULATION

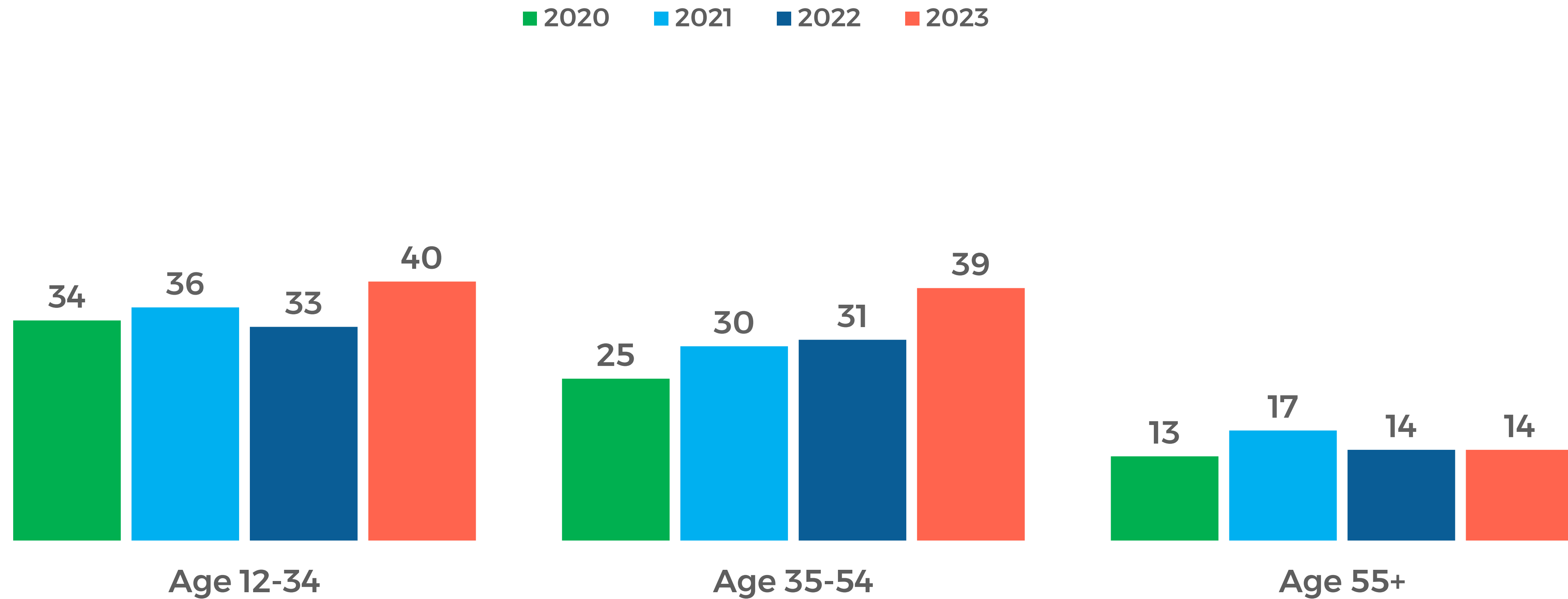
% LISTENED TO A PODCAST IN LAST WEEK



Weekly Podcast Listening

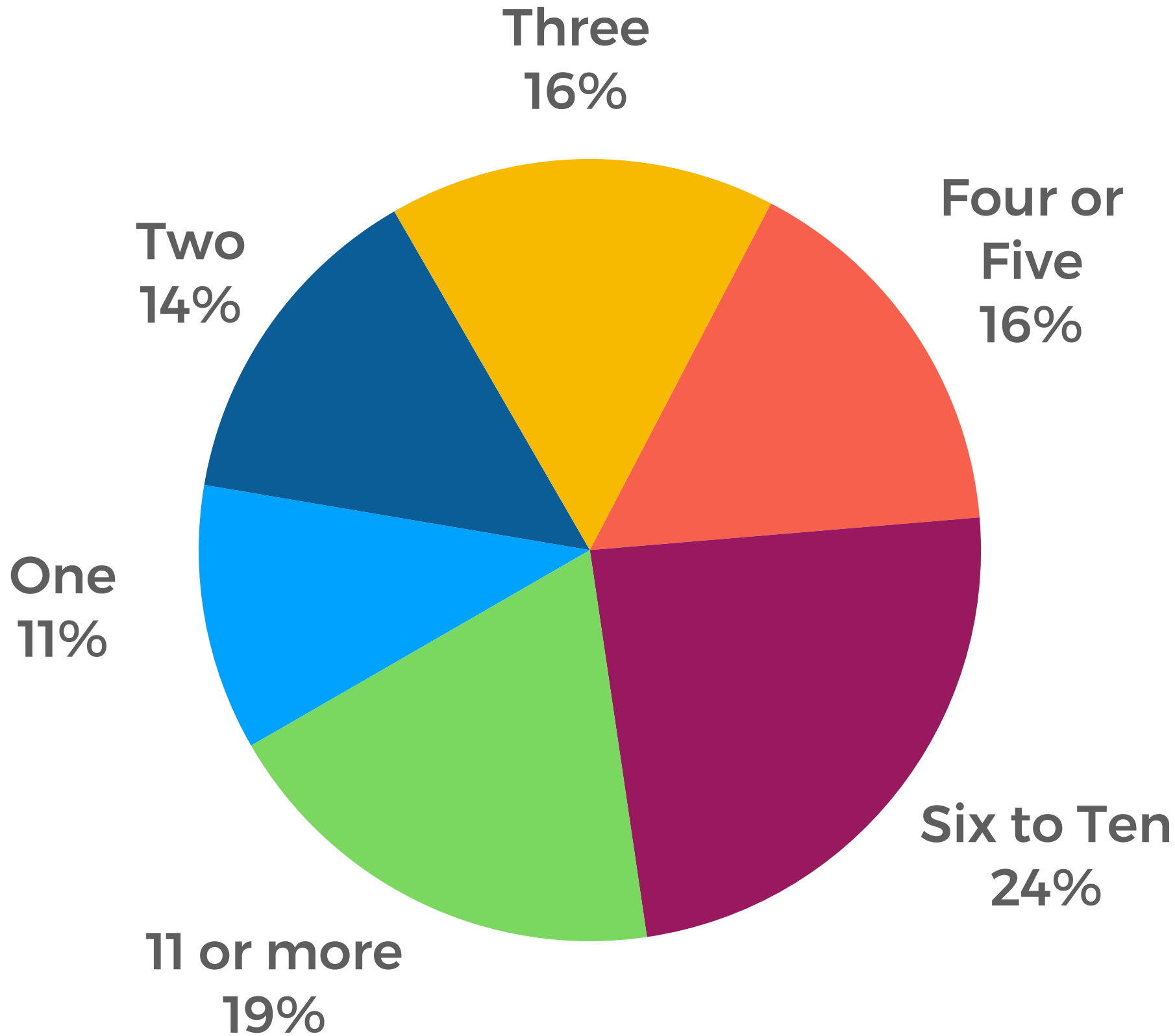
U.S. POPULATION

% LISTENED TO A PODCAST IN LAST WEEK



Number of Podcast Episodes Listened to in Last Week

BASE: U.S. AGE 12+ AND LISTENED TO PODCAST IN LAST WEEK



U.S. weekly podcast listeners average
Nine podcasts
in the last week

Observations

Data appears to reflect 'post-pandemic':
on pattern from previous years

Observations

Online audio hits new highs

Observations

Advertisers need to move more of their budgets to audio in all its forms

Observations

Podcasting is 'back,' reaching the highest numbers ever, with 90 million listeners each week

Thank You!

amazon music
WONDERY
ART19



UPCOMING EVENTS

Podcast Movement Evolutions | March 9th, 2023 | Live at Vegas

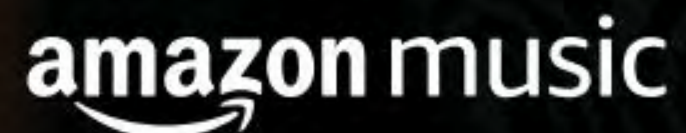
Hit Play, Boomers: Podcasting's 55+ Opportunity | Webinar

The Gen Z Podcast Listener | Webinar

Annual Moms and Media Report | Webinar



25TH ANNIVERSARY
THE INFINITE DIAL[®]



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THE INFINITE DIAL[®] 2023



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Exhibit B

Second Declaration of W. Lawrence Patrick

Second Declaration of W. Lawrence Patrick

Based on my experience as a radio station owner for over 37, with 25 years of experience in ownership in northwest Wyoming, I have first-hand knowledge of how bigger radio clusters in local markets provide more localism in their programming, more benefits to their employees, and a better service to the public. Those commenters who have suggested that larger local ownership clusters are clearly not familiar with the real world of broadcasting – particularly in smaller radio markets. Here are some details of our operations in the Wyoming markets where we operate that demonstrate how the FCC permitting ownership of larger local radio station clusters within a market enhances employment and localism.

The Cody, Wyoming Radio Market

We entered radio ownership in Wyoming in 1998 with the purchase of KZMQ(AM) and KZMQ-FM in Greybull, Wyoming. Soon thereafter we purchased KODI(AM) and KTAG(FM) in Cody, Wyoming. None of these stations had any news presence in the market when we purchased them. They also did not have a sports director. They also did not have any health insurance or year-end bonuses for employees. There were minimal resources devoted to recruiting new employees or attempting to diversify the stations' workforce. There was not even an employee handbook explaining employment policies, vacation time, and similar employee benefits. These stations did very little public service or informational programming.

Over the next several years, we slowly expanded our operations in the Cody market. First, we were able to bid successfully during an FCC auction to acquire a construction permit for the FM station that is now KCGL(FM), Powell, Wyoming. Later, we acquired another FM station construction permit during a subsequent auction to build what is now KCWB(FM), Byron, Wyoming. We also bought an FM translator construction permit for what is now K244CG, Cody, Wyoming, which we use to simulcast KODI.

As we look at the cluster today, we have two full-time news persons along with a live morning talk show host on KODI which features live, in-studio guests every weekday. The other stations are all live in various dayparts. We do hours of news and informational programming every week. We have a full-time promotions director whose charge is to help every charity or causes in the community. We are very proud of our charitable efforts. For instance, we are involved in Radiothons for St. Jude Children's Research Hospital in Memphis, Tennessee. We have been doing this for 15 years and this year will break the \$2.5 million mark from our listeners. My wife, Susan, and I have personally contributed over \$250,000 to St. Jude during this time. We also support several local causes throughout the year. Overall, we contribute 10 percent of our profits each year to various charities here in northwest Wyoming. Our stations have won "Station of the Year" honors repeatedly from the Wyoming Association of Broadcasters. We also have four studios and offices across the Big Horn Basin here. That is an area that stretches 80 miles east to west and over 100 miles north to south. We are the lifeline to our communities – a responsibility that we take very seriously.

These stations clearly serve the public interest. In contrast, many of our competitors do not and, as I relayed in my previous declaration, we have been approached to acquire some of the

competing stations but have been unable to do so because of the local radio ownership rules. Our competitors in northwest Wyoming, one with three "dumb jukebox FM stations" (satellite fed music programming with studios that are almost always empty as the company has only one part-time local employee who does sales out of the office) and one a standalone AM, do little or no informational programming or public service. And they cannot do so due to their weak financial performance. Markets like ours simply do not have the advertising base to support multiple competing owners, particularly as that base has been eroded by the national tech companies who, even in Cody Wyoming, sell substantial local advertising that, in the past, would have gone to support radio or newspaper operators.

The Gillette, Wyoming Market

In Gillette, Wyoming, the story is very similar. We bought our first stations, KIML(AM), KAML-FM, and KGWY(FM) in Gillette, Wyoming in 2001. Again, there was no news on the air on these stations when we bought them. No informational programming. No health insurance for employees. No year-end bonuses. Little in the way of EEO efforts.

Over the years, we competed in an FCC auction and bought a construction permit for an FM station that is now KDDV-FM, Wright, Wyoming. We then bought another station that is today KLED(FM), Antelope Valley-Crestview, Wyoming. We also bought two FM translators: K298CT, Gillette, Wyoming, which simulcasts KIML(AM), and K294BD, Gillette, Wyoming, which broadcasts Christian music originated by an HD subchannel of one of our stations. K298CT is important for us as Gillette has many open pit coal mines that run around the clock. KIML(AM) at night cannot be heard down in the pits which are a quarter to a half-mile deep. By having the translator, the 600+ miners who work the evening shift can listen to their local sports teams when their children are playing. Again, our strength and investment in broadcast assets has allowed us to become a strong part of the lives and the communities of our listeners.

Our competition here in Gillette is another owner with three FM stations in the market. He has only 2-3 employees, runs most of the time using hard drives with music, liners, and very few commercials. In essence, another "jukebox" owner that does not provide any public service or news programming. Here in Gillette, we again contribute 10 percent of our annual profits to a variety of charities in the community.

Conclusion

Through my experience as a radio broadcast station owner in Wyoming, we have firsthand seen the benefits to our communities realized through scale of ownership and operations. Our ability to own multiple radio stations in the Gillette and Cody, Wyoming markets has allowed us to provide a diverse array of locally oriented programming that is essential to the everyday lives of our community members. Having size has allowed us to be hyper-involved in our community and give back every day to our communities. We are important to the local communities and want the opportunity to serve the community even better with more diverse program options that we could provide if we were able to own more stations. More diverse, coordinated programming formats would provide local residents less reason to abandon local radio for nationally delivered satellite or Internet radio options. With greater

scale, we would be able to inject localism into the “dumb jukeboxes” that, right now, offer little or no service to the community. It is only the FCC ownership rules that are preventing us from offering this expanded service.

Without our scale, we would be forced to provide repetitive, generic programming for our listeners – as our competitors currently do. Based on our experience as small-town radio owners, we know what the benefits to communities like ours would be if the FCC relaxes its ownership rules and permits broadcasters to achieve scale in local markets. We know that we can do even more to serve our communities if we were allowed to own more stations. Critics of consolidation should try operating an independent station in a market like ours. It is almost impossible to do so while providing local service, employment benefits, and diverse programming. The addition of more stations to our clusters will bring more localism and better service to the public. We urge the Commission to relax the local ownership rules to allow us to better serve the public.

Submitted on March 20, 2023

A handwritten signature in blue ink that reads "W. Lawrence Patrick". The signature is written in a cursive style and is positioned above a horizontal line.

W. Lawrence Patrick, Managing Partner
Patrick Communications and Legend Communications

Exhibit C

Declaration of Kristin Okesson

Statement of Kristin Okesson

I am the SVP/Market Manager for Connoisseur Media, overseeing the company's operations in southwest Connecticut. I have been in this position for almost 10 years and worked for other broadcast companies in the same area for more than a decade before working for Connoisseur. I am thus very familiar with the radio marketplace in this area and the industry in general.

When Connoisseur entered the market in 2013, it programmed only three stations in the area, WPLR, WEZN, and WFOX-FM. These stations face substantial competition for audience not only from other stations in their markets, but also from stations in other adjacent markets in Connecticut and even greater competition from New York City stations that can be heard in the area. For advertisers, our stations compete not just with other broadcasters and traditional media outlets, but also with nationwide digital platforms that attract significant dollars from local advertisers that, when I first started in broadcasting, would have gone to radio. Our salespeople are every day trying to convince local advertisers that their money would be better spent on radio than with these non-local digital platforms. This competition with digital simply did not occur in the early 2000s when I started my career in radio, and it was certainly not an issue in 1996 when the current radio ownership rules were adopted.

Connoisseur has initiated its own digital sales efforts. But to compete with the digital giants, we need greater resources and greater scale. Similarly, to compete for audience with all the media choices available in our marketplace, both from traditional media and from new digital media competitors, a company needs more scale as well. The days when a stand-alone radio station could afford extensive news, programming, and community outreach staff are long in the past.

In fact, Connoisseur benefitted greatly when in 2019 it was able to acquire two more stations, WEBE and WICC, that serve the same area in southwestern Connecticut. The acquisition of these stations clearly resulted in better service to the listeners in our service area. For instance, we have been able to bring far more live and local programming to WICC, an AM station which had previously relied principally on national syndicated programming. We added a live local talk program in the afternoons which covers local news and community events, and regularly talks with local government officials, community leaders, and other local residents about the issues of the day. Having the host of the program in the building adds to our local news staff, and now gives all of our stations access to a dedicated local news person throughout the business day.

On WICC, we also added another live morning program from 10 AM to noon, hosted by a local probate judge. She also discusses local issues of importance to the community. Her addition to the staff has also provided all of our stations access to a person with legal training who can address legal issues as they arise. She has appeared on our other stations many times to discuss such issues.

WEBE, a music station, was often automated before it was acquired by Connoisseur. We used to joke about how, when our stations were full of news about a snowstorm or other local event, that station was simply playing music with little or no local information. That does not occur anymore – if there are important local events, you will hear about them on WEBE as well as on our other stations.

Our other stations have long been known in the area for their connection to the local community. Our morning hosts on WPLR, Chaz and AJ, have been nominated and won state and national awards for their program. Even though the program is on a rock station, the program regularly features

conversations with the state's governor and senators, as well as other local leaders. It has even hosted election season debates between candidates for statewide office. This same desire to inform our listeners as well as to entertain them has made our stations the place where local residents turn in times of need.

Our larger cluster has also increased our charitable efforts. WICC traditionally does an annual fundraising radiothon for the Bridgeport Rescue Mission to raise money for hungry, homeless, and addicted. This year, the radiothon was promoted on our cluster, increasing the amount raised by about a third. Additionally, in 2021 we added a new element using the power of all our stations to raise money to buy coats for any homeless person in Bridgeport who was in need. \$88,000 was raised and over 700 coats were purchased which could not have been accomplished without the power of our cluster.

Similarly, in the summer of 2021, when the city of Bridgeport was trying to encourage local residents to get their COVID vaccines, all of our stations were able to join together to promote a one-day vaccination clinic, where our air personalities appeared and where we gave gifts to those who were vaccinated. At that time, other local vaccination efforts in the city were getting only a handful of people to turn out. The clinic our stations promoted resulted in over 135 people getting the shot.

These are but a few of the examples of how bigger, more stable local radio clusters serve the community. Radio needs to have diverse offerings to broadly reach its community to have a stable economic base to provide news and public service, and to afford to conduct the digital sales efforts needed to stem the tide of the Big Tech platforms bleeding the revenue from truly local media. I urge the FCC to recognize that the industry has changed since 1996 and regulatory reform must take place to allow local radio to continue to thrive.



Kristin Okesson