

**Before the
Federal Communications Commission
Washington, DC 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)	

**REPLY COMMENTS OF MUSICFIRST COALITION
AND FUTURE OF MUSIC COALITION**

via electronic filing

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I. LOCAL FM RADIO OWNERSHIP LIMITS MUST BE PRESERVED TO SERVE THE FCC'S PUBLIC INTEREST OBLIGATION OF PROMOTING COMPETITION, VIEWPOINT DIVERSITY, AND LOCALISM

The musicFIRST Coalition and Future of Music Coalition respectfully submit these reply comments, urging the Federal Communications Commission (“FCC” or “Commission”) to retain the Local Radio Ownership Rule as it relates to the FM band. The public interest in viewpoint diversity, competition and localism requires that the Commission retain current enumerated limits on the number of commercial FM radio stations that one entity can own in a given geographic market.¹ The Commission’s long-standing commitment to AM radio revitalization also requires the Commission to retain the FM portion of the Local Radio Ownership Rule.²

The National Association of Broadcasters (“NAB”) falsely states in its initial comments: “In this competitive landscape, the FCC’s *ex ante* ownership rules harm broadcasters and the public.”³ The opposite of this assertion is true. Over 1800 individual AM/FM radio listeners and a plethora of organizations across a wide array of the political spectrum have stated in comments in this proceeding that broadcast ownership rules remain necessary in the public interest in competition, localism and viewpoint diversity. This is because the Commission’s broadcast ownership rules

¹ See Comment of musicFIRST Coalition and Future of Music Coalition, *In re: 2022 Quadrennial Regulatory Review – Review of Broadcast Ownership Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, MB Docket No. 22-459 (Dec. 17, 2025) at 1 [hereinafter *mf and FMC 2025 Comments*], <https://www.fcc.gov/ecfs/document/12182212109085/1>.

² See *mf and FMC 2022 QR Refresh Comments*, *supra* note 1 at 17-23.

³ See Comments of the National Association of Broadcasters, *In re: 2022 Quadrennial Review of Broadcast Ownership Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, MB Docket No. 22-459 (Dec. 17, 2025) at 4 [hereinafter *NAB 2025 Comments*], <https://www.fcc.gov/ecfs/document/12171524426751/1>.

protect audiences, independent broadcasters and all kinds of AM radio broadcasters (both independent broadcasters and big companies that have invested in AM holdings).

We agree with commenting organizations as varied as Newsmax, the American Conservative Union Foundation's Center For Regulatory Freedom,⁴ SAG-AFTRA,⁵ National Association of Black Owned Broadcasters,⁶ Free Press⁷ and iHeart Media⁸ that further broadcast ownership deregulation of local commercial FM radio ownership would be:

- Harmful to the public;
- Not in the public interest;
- Harmful to all smaller broadcasters who want to continue to compete for audiences and advertising dollars within the local markets they serve;⁹ and
- Harmful to the entire AM radio industry.

The 1800+ express comments by AM/FM radio listeners almost all remind the Commission that it must promote the public interest and that music-driven radio is a

⁴ See Comments of CPAC Foundation Center for Regulatory Freedom, *In re: 2022 Quadrennial Review*, MB Docket No. 22-459 (Dec. 16, 2025) at 1 [hereinafter *Center for Regulatory Freedom Comments*], <https://www.fcc.gov/ecfs/document/1216879013721/1>.

⁵ See generally Comments of Screen Actors Guild – American Federation of Television and Radio Artists (“SAG-AFTRA”), *In re: 2022 Quadrennial Review*, MB Docket No. 22-459 (Dec. 17, 2025) at 1 [hereinafter *SAG-AFTRA Comments*]; “SAG-AFTRA is the world’s largest labor union representing working media artists, including more than 160,000 actors, announcers, broadcasters, journalists, dancers, DJs, news writers, news editors, program hosts, puppeteers, recording artists, singers, stunt performers, voiceover artists, influencers and other media professionals across 25 [local chapters] in the United States.”, <https://www.fcc.gov/ecfs/document/1218017887368/1>.

⁶ See generally Comments of National Association of Black Owned Broadcasters, *In re: 2022 Quadrennial Review*, MB Docket No. 22-459 (Dec. 17, 2025) [hereinafter *NABOB Comments*], <https://www.fcc.gov/ecfs/document/1217226191993/1>.

⁷ See Comments of Free Press, *In re: 2022 Quadrennial Review*, MB Docket No. 22-459 (Dec. 17, 2025) at 2, 4, 7-10, <https://www.fcc.gov/ecfs/document/1217882225530/1>.

⁸ See generally Reply Comments of iHeartCommunications, Inc., *In re: 2022 Quadrennial Review*, MB Docket No. 22-459 (Mar. 20, 2023), <https://www.fcc.gov/ecfs/document/10320022030899/1>.

⁹ (as opposed to those smaller broadcasters who want to cash out, exit the market altogether, and sell their stations to conglomerates that already have the maximum number of FM stations allowed under current regulations)

source of viewpoint diversity that must be protected through continued limits on local commercial FM ownership. Almost all of these express comments remind the Commission that promoting the public interest entails serving listeners:

“The FCC’s job is to promote the public interest – that means serving people like me who want to hear live and local programming that reflects what’s going on in our own communities. Relaxing the ownership rules would help only those entities that want to buy or sell radio stations, while hurting us listeners who want to stay tied to our local communities.”¹⁰

In fact, the subset of possible beneficiaries of economies of scale under an eviscerated Local Radio Ownership Rule would necessarily be far narrower than the field of potential “buyers and sellers.” Rather, the only possible beneficiaries of such economies of scale are those few radio owners that had already maxed out their commercial FM ownership within the local communities in which they broadcast. Such owners of (already large) local clusters would, in the process of buying more local FM stations than previously allowed, gain further local market share ***specifically at the expense of every other remaining owner of local FM stations*** who must then try to compete with their now comparatively gigantic local competitor for advertising dollars.

According to Conservative Union Foundation’s Center For Regulatory Freedom (hereinafter “CRF”) localism “remains the sole and proper justification for broadcast-specific regulation.” Further, CRF argues, “[t]he broadcast marketplace is diverse, and one-size-fits-all [deregulatory] solutions risk unintended consequences. Market conditions vary significantly between large station groups and small or independent

¹⁰ See, e.g., Express Comment of Dan Siegel, *In re: 2022 Quadrennial Review*, MB Docket No. 22-459 (Jan. 12, 2026) <https://www.fcc.gov/ecfs/search/search-filings/filing/10112256576503>.

broadcasters, as well as between urban and rural markets. Broad mandates could entrench dominant players while disadvantaging smaller licensees.”¹¹

According to Newsmax Media, Inc., which identifies itself as “an independent news organization that features conservative editorial viewpoints and brings much needed competition to American media,”¹² “Conservative principles support a policy that encourages viewpoint diversity through broadcast ownership limits.”¹³ Newsmax notes that “[v]iewpoint diversity is especially critical at the local level because the threats to the local media marketplace come from multiple angles. Consolidation among national broadcasters weakens local voices and viewpoints by flooding markets with corporate viewpoints selected and shaped by national decision-makers.”¹⁴ Newsmax goes on to explain:

“If one company owns all broadcast media in a local market, elected officials in that market grow beholden to those owners. By the same token, a politician who runs afoul of that single owner will have little chance to present his side of the story. Whether the newscasters are liberal, moderate, right-wing or fiercely conservative, we cannot have a good debate in this country if only one point of view holds sway.”¹⁵

While Newsmax’s requests for specific FCC rulemaking actions were about television rather than AM/FM radio, Newsmax’s quotes above were about broad policy and rationales regarding potential harms of ownership consolidation in all forms of local media – not just television.

¹¹ See *Center for Regulatory Freedom Comments*, *supra* note 4 at 3.

¹² See *Comments of Newsmax Media, Inc., In re: 2022 Quadrennial Review*, MB Docket No. 22-459 (Dec. 16, 2025) at 1 [hereinafter *Newsmax Comments*], <https://www.fcc.gov/ecfs/document/121606824844/1>.

¹³ See *Newsmax Comments*, *supra* note 12 at 4.

¹⁴ See *Newsmax Comments*, *supra* note 12 at 5.

¹⁵ See *Newsmax Comments*, *supra* note 12 at 7.

SAG-AFTRA commented that the Commission's Local Radio Ownership Rule, Local Television Ownership Rule and Dual Network Rule "remain necessary to serve the public interest and to 'advance the agency's three traditional policy goals of competition, localism and viewpoint diversity.'"¹⁶ SAG-AFTRA correctly points out:

"The Rules must be considered in the unique context in which broadcast television and radio operate. The broadcast industry and associated markets differ quite significantly from most others, including other media and entertainment markets. As public trustees of the airwaves, the competitive focus for market participants must be on serving the public interest, not maximizing corporate and shareholder profits."¹⁷

Arguments by SAG-AFTRA are not inconsistent with those by CRF and Newsmax in this context:

"The Rules remain an important tool for preserving competition. Notably, they help prevent a small number of companies from accumulating outsized control over the highest-reach local outlets, particularly in markets where the number of stations is inherently limited. They help preserve real choice for local advertisers and help ensure communities get meaningful local news by reducing the risk that consolidation turns 'competition' into cost-cutting, centralized decision-making,¹⁸ and less investment in truly local coverage."¹⁹

¹⁶ See SAG-AFTRA *Comments*, *supra* note 5 at 3.

¹⁷ See SAG-AFTRA *Comments*, *supra* note 5 at 5.

¹⁸ See Geoff Mayfield, *As Streaming Dominates the Music World, Is Radio's Signal Fading?*, *Variety* (Feb. 10, 2021), <https://variety.com/2021/music/news/radio-signal-fading-streaming-1234904387>; See, e.g., *Cumulus Forms Corporate Programming Team*, *Inside Radio* (Jan. 26, 2016, updated Mar. 17, 2021), https://www.insideradio.com/cumulus-forms-corporate-programming-team/article_ac708df2-c448-11e5-835a-b3fb355565d0.html; Jerry Del Colliano, *Cumulus Programming Becoming More Centralized Under New CEO*, *Inside Music Media* (Nov. 5, 2015), available at <https://insidemusicmedia.com/cumulus-programmingbecoming-more-centralized-under-new-ceo> (last visited Feb. 26, 2023); *Audacy Layoffs Begin -- Here's What We Know So Far*, All Access Music Group (July 16, 2021), <https://www.allaccess.com/net-news/archive/story/209357/audacy-layoffs-begin---here-swhat-we-know-so-far> (last visited Feb. 26, 2023): "Rumors have become reality as ALL ACCESS has confirmed that AUDACY is going to move to a more centralized programming system. Local Top 40 air personality layoffs are taking place in the midday, afternoon and night dayparts in many markets. Mornings will continue to be local."; *Audacy Realigns Top 40 Stations, Including National And Regional Programming, Local Layoffs*, All Access Music Group (July 15, 2021), <https://www.allaccess.com/net-news/archive/story/209346/audacyrealigns-top-40-stations-including-national> (last visited Feb. 26, 2023): "AUDACY's sweeping national changes have arrived at another format with Top 40 taking a "hub-and-spoke" national and regional programming approach, displacing several local staffers. The move is similar to the realignment of the company's Alternative and Country stations last September that resulted in layoffs and national and regional programming in several dayparts."

¹⁹ See SAG-AFTRA *Comments*, *supra* note 5 at 6.

As we pointed out in our initial comments, iHeart Media no longer feels that “building scale” is a viable solution to radio’s competitive woes. According to iHeart, that remedy doesn’t actually address the problem posed by competition from non-broadcast competitors.²⁰ Moreover, iHeart points out that with regard to many of its competitors, “If they really wanted scale, they’re not in 150 markets; they’re not even capped out in the markets they are [already] in, so they can expand their scale should they choose to do so.”²¹

CRF argues that any elimination or relaxation of broadcast ownership limits may be overbroad, potentially causing unintended consequences that can’t be undone in the future.²² Taking such action “risks misdiagnosing problems and imposing remedies that fail to address underlying conditions.”²³ Similarly, Newsmax holds the view that eliminating ownership rules is not the correct remedy to address competition from non-broadcast sources. Newsmax explains:

“If more competition existed in local broadcasting, more options and sources of local news – and more viewpoints – would be available. The collapse of newspapers in rural areas demonstrates that the broader media marketplace is insufficient to discipline the local broadcast marketplace. Merging newsrooms and importing news from national sources, which big broadcasters say is necessary to make economies of scale work, does not produce more newsgathering or more viewpoints.”²⁴

²⁰ Hartley Adkins, iHeartMedia President of Integrated Revenue Strategy, Remarks at FCC Symposium on Current and Future Trends in the Broadcast Radio and Television Industries, at 53:00 [hereinafter *2019 FCC Symposium*] (Nov. 21, 2019), <https://www.fcc.gov/news-events/events/2019/11/symposium-current-and-future-trends-broadcast-radio-and-television>.

²¹ *Id.*

²² See *Center for Regulatory Freedom Comments*, *supra* note 4 at 7.

²³ See *Center for Regulatory Freedom Comments*, *supra* note 4 at 10.

²⁴ See *Newsmax Comments*, *supra* note 12 at 9.

Notably, iHeart Media has explained to the Commission that the current numeric limits on commercial local FM ownership are necessary to protect all AM radio owners from devaluation of their AM radio investments.

“[R]elaxing (much less eliminating) current limits on FM ownership would risk significant harm to the industry, particularly to AM radio, as it would trigger potentially mass divestiture of AM stations in favor of FM station purchases. Such divestiture would result in a dramatic *devaluation* of and capital flight from AM radio stations, further undermining AM radio’s economic challenges and potentially stranding millions of Americans who depend on AM radio for their local news, information, sports and weather.”²⁵ (emphasis original).

Similarly, the National Association of Black Owned Broadcasters (“NABOB”) notes that any elimination or relaxation of the current numeric limits on local FM ownership “would be particularly damaging for the AM radio industry as a whole, in addition to being damaging to Black American AM station owners.”²⁶ NABOB argues that maintaining the Local Radio Ownership Rule “will promote competition, localism and viewpoint diversity, which will maintain existing broadcast voices, and may provide entrepreneurs opportunities to create additional broadcast voices, which will benefit American consumers.”²⁷

NABOB points out in its initial comments that loosening of the Local Radio Ownership Rule is not the correct remedy for AM/FM station owners suffering competition from other kinds of audio and tech platforms. NABOB quoted *Radio Ink* Chairman Eric Rhoads: “The only similarity between Google/Facebook and radio is that

²⁵ See Letter from Jessica Marventano, Senior Vice President, Government Affairs, iHeartMedia Inc. to Michelle Carey, Chief, FCC Media Bureau, *In re: 2018 Quadrennial Review of Broadcast Ownership Rules*, MB Docket No. 18-349 (Oct. 9, 2018) at 3 [hereinafter *iHeartMedia Letter to Michelle Carey*], <https://www.fcc.gov/ecfs/document/1227639400874/1>.

²⁶ See *NABOB Comments*, *supra* note 6 at 3.

²⁷ See *NABOB Comments*, *supra* note 6 at 4.

we're all in the advertising business. That's where it stops. Their approach to advertising is so utterly different that no one is going to spend more in radio because Company A or Company B has more stations.”²⁸ NABOB's initial comments also highlight an insightful observation by iHeart Media in its 2023 letter to the Commission:

“[In] truth the size of individual station portfolios has little, if any, relationship to the total dollars that an advertiser allocates to free, over-the-air broadcast radio. Owning more FM stations in a market will not make advertisers prefer radio over other options, and more FM stations is not a substitute for innovation, ideas, relationships, compelling programming and data solutions for our advertising partners. Indeed, an advertiser can already buy spots on all the stations in a market regardless of who owns them.”²⁹

II. ASSERTIONS ABOUT PROGRAM DIVERSITY BY THE NATIONAL ASSOCIATION OF BROADCASTERS DO NOT SUPPORT THE CONCLUSION THAT RADIO STATION OWNERSHIP CAPS SHOULD BE LOOSENERED OR ELIMINATED

The NAB asks the Commission to believe that there is a direct cause and effect relationship between AM/FM ownership consolidation and increased “program variety.”³⁰ The NAB cites a 2007 study of the radio industry that indicated that “more concentrated markets have fewer stations with the same format categories, and therefore more format diversity; that ‘large national radio owners offer more formats’; and that ‘common ownership results in more diversity in actual programs aired.’³¹

²⁸ See *NABOB Comments*, *supra* note 16 at 23, citing Eric Rhoads, *Radio's Weak Dereg Argument*, Radio Ink (Aug. 2, 2018), <https://radioink.com/2018/08/02/radios-weak-argument-to-the-fcc-reveals-a-deeper-problem>.

²⁹ See *NABOB Comments*, *supra* note 6 at 23 (citing *iHeart Letter to Michelle Carey*, *supra* note 25 at 3-4).

³⁰ See *NAB 2025 Comments*, *supra* note 3 at 70.

³¹ See *NAB 2025 Comments*, *supra* note 3 at 70 [citing FCC, 2007 Ownership Study No. 5, Tasneem Chipy, CRA International, Inc., *Station Ownership and Programming in Radio*, at 45 (June 24, 2007); 2006 Quadrennial Review Order, 23 FCC Rcd at 2077, n.404, describing the findings of the FCC's 2007 Ownership Study No. 5.]

However, the Future of Music Coalition provided data in the Commission's 2006 Quadrennial Review that showed that programmatic diversity was greatest in station groups that were below their local ownership market caps.³² At that time, FMC found that among owners of smaller commercial radio clusters, religious format stations and Spanish-format stations were more common, as were Classical and Smooth Jazz stations.³³ 2010 comments by FMC explained: "It appears that a wider variety of programming comes from the relatively small station groups and not the large station groups that resulted from the FCC's signal-contour market definition. This finding casts doubt on any potential claims that larger station groups will offer the public a wider variety of programming" and supports the notion that the local radio ownership caps should not be loosened or eliminated.³⁴

The NAB commissioned a 2025 Radio Programming Study by BIA Advisory Systems that it cites to purportedly support its assertions:

"[R]adio stations continue to provide more varied programming to their local communities than they did in 1996, prior to the increase in common ownership permitted by the 1996 Act. But BIA's new study also shows that since 2006 increases in the variety of programming have slowed down substantially, flattened or even in some cases reversed, as the 1996 local radio ownership rules have not kept pace with profound changes in the marketplace."³⁵

³² See Comments of Future of Music Coalition, *In re: 2010 Media Ownership Review NPRM*, MB Docket No. 09-182 (Mar. 3, 2012) at 7 [hereinafter *FMC 2010 Comments*], <https://www.fcc.gov/ecfs/document/6016996123/1>.

³³ *Id.*

³⁴ See *FMC 2010 Comments*, *supra* note 32 at 7-8.

³⁵ See *NAB 2025 Comments*, *supra* note 3 at 71 [citing BIA 2025 Radio Programming Study at 7 & n.11: Attachment A, BIA Advisory Services, *Thirty Years After Radio Deregulation: Has the Variety of Programming Expanded?* (Apr. 2025) at 130].

The NAB goes on to assert that the sole cause of a decrease in program diversity is the Commission electing to maintain the Local Radio Ownership Rule:

“These data reconfirm that the 1996 Act’s relaxation of the radio ownership restrictions and subsequent increases in common ownership of stations benefitted consumers by leading to greater programming variety in local markets. But radio broadcasters’ ability to grow any further under the three-decades old local ownership rules constrain them from continuing to expand their programming options. This result impedes the ability of local radio broadcasters to compete for audiences and advertisers and to offer consumers more varied programming free over-the-air.”³⁶

We, as long time observers of an AM/FM radio industry that relies heavily on recorded music as the content that it uses to draw audiences and advertisers, wholeheartedly object to the NAB’s assertion that post-2006 decreases in diversity of programming are solely attributable to the Commission’s election to maintain the Local Radio Ownership Rule.

To support its plea for further deregulation, NAB points to the commissioned BIA study showing that the number of radio formats (e.g. Adult Contemporary, Rock, Country, Contemporary Hit Radio/Top 40, etc.)³⁷ available to consumers increased from 1996-2006, but that there has been a slowdown of formats offered since that time, and somehow the cause is attributable to the FCC’s local radio ownership caps, while ignoring other possible explanations for why labels of categories of radio formats decreased after 2006. Certainly one contributing factor was that several conglomerates

³⁶ See *NAB 2025 Comments*, *supra* note 3 at 72.

³⁷ See *NAB 2025 Comments*, *supra* note 3 at 72 n.216 (“BIA Media Access Pro database has long provided a classification scheme of 19 different general formats. They are: Adult Contemporary, Album Oriented Rock/Classic Rock, Classical, Contemporary Hit Radio/Top 40, Country, Easy Listening/Beautiful Music, Ethnic, Jazz/New Age, Middle of the Road, Miscellaneous, News/Sports, Nostalgia/Big Band, Oldies, Religion, Rock, Spanish, Talk, Urban, and No Reported Format. *Id.* at 4.”)

quickly bought up radio properties and markedly grew their holdings following 1996 deregulation, but over-leveraged themselves with self-inflicted debt in their desire to expand, leading to subsequent contraction, layoffs, and a significant *reduction in the numbers of programming employees*.³⁸

The only thing the NAB's data shows is that there has been an increase in the number of *labels* for radio format categories as reported by station personnel.³⁹ It does nothing to demonstrate that, in the wake of post-1996 consolidation, there were quantitative increases in the *number and variety* of distinct artists or songs played on commercial radio within those formats. Nor does the commissioned BIA study address anything having to do with promoting localism in either music or news/information, or promoting viewpoint diversity in the form of music lyrics and/or culture through either song or spoken word.

³⁸ See Steve Knopper, *Radio Consolidation May Spell Changes for Label Promo Departments*, Billboard (Jan. 15, 2021), <https://www.billboard.com/pro/radio-consolidation-label-promo-departments/>; *Exclusive: Audacy Implements Regional CHR Programming Structure*, Inside Radio (July 16, 2021), https://www.insideradio.com/exclusive-audacy-implementsregional-chr-programming-structure/article_2a137146-e5a1-11eb-9c8e-cb38c30a54b8.html; See, e.g., Jerry Del Colliano, *Shakeup in Station Management*, Inside Music Media Blog (Nov. 16, 2022), available at: <https://insidemusicmedia.com/shakeup-in-station-management>; Richard Wagoner, *Why the songs remain the same on this LA radio station*, L.A. Daily News (Sep. 20, 2020), noting announcements by Entercom about increased syndicated programming and more remote programming than previously, <https://www.dailynews.com/2020/09/15/why-the-songs-remain-the-same-on-this-la-radio-station>; Geoff Herbert, *Does iHeartMedia have more radio stations than local DJs in Syracuse now?*, Post-Standard (Syracuse, NY) (Jan. 28, 2020), <https://www.syracuse.com/news/2020/01/does-iheartmedia-now-have-more-radio-stations-than-local-djs-in-syracuse-now.html>; Steve Knopper, *What iHeartMedia's Layoffs This Week Mean for Listeners & the Industry*, Billboard (Jan. 17, 2020), <https://www.billboard.com/pro/iheartmedia-layoffs-listeners-industryanalysis>.

³⁹ See *NAB 2025 Comments*, *supra* note 3 at 73. n.219 (“BIA further classifies its 19 general format categories into station-stated specific formats, each falling under one of the general format classifications. Specific format categories are those actually used by station personnel in characterizing their stations' formats. Stations' adoption of new specific formats increases programming variety in local markets and may make available formats different than any other programming being provided to audiences in their local markets...”)

Music format labels can be useful – as the NAB states in their comments, Ranchero and Tejano are distinct genres of Mexican music.⁴⁰ But how can we measure and articulate how different Adult Contemporary is from “Hot AC”? While certainly there are distinctions and outliers within each category, artists like Adele or Sam Smith could apply to multiple formats. Adjacent formats can have a great many artists and songs in common, and crossover of hit tracks between multiple formats is highly likely.

The NAB attaches an obfuscated analysis, showing a breakdown of general and specific format labels in radio, then asks the Commission to leapfrog to the conclusion that a numerical increase in categories necessarily means more programming variety for radio listeners. We submit that these are simply labels obscuring the fact that the diversity of music, viewpoints (through music and spoken word), and local voices has decreased since 1996 radio ownership deregulation. We challenge the NAB to show whether the number of unique artists and unique songs on the radio increased in the wake of mergers following 1996. Additionally, by all means, show what percentage of artists, before and after 1996, were local to their regions, and what percentage of topics discussed were specific to local concerns.

A vast number of developments have transpired since 2006 to negatively affect what commercial radio listeners have the ability to hear on commercial radio airwaves. For example, in our 2023 joint comments in this docket, musicFIRST and FMC noted that several of the largest, most consolidated radio companies who had chosen to acquire high debt loads when acquiring a high volume of radio stations, namely iHeart,⁴¹

⁴⁰ *Id.*

⁴¹ See Elias Leight, ‘*The Culling Has Begun*’: Inside the iHeartMedia Layoffs, Rolling Stone (Jan. 15, 2020), <https://www.rollingstone.com/pro/features/iheartmedia-mass-layoffs-937513>; Fred Jacobs, *Have*

Audacy, Cumulus, Cox and Summit had collectively cut over 1,000 jobs in the preceding several years.⁴² Recall that iHeart, the largest of those companies, has argued in the current and preceding Quadrennial Reviews that the local numeric caps on FM ownership should not be loosened and that such action is not the remedy that the radio industry needs in order to serve listeners with better programming.⁴³ To the extent that larger radio broadcast entities complain about their profit levels, it is important for the Commission to recognize that several of these large companies with significant AM/FM holdings are spending much of their available cash servicing debt that they acquired in the wake of the last time that the ownership caps were loosened.⁴⁴

In the wake of the elimination of the Main Studio Rule in 2017, many stations that used to be staffed by local personnel are now, at least part-time, programmed and/or

Layoffs Done Collateral Damage To Radio?, Radio World (Feb. 21, 2020), <https://www.radioworld.com/columns-and-views/guest-commentaries/radio-layoffs-collateral-damage>.

⁴² See Comment of musicFIRST Coalition and Future of Music Coalition, *In re: 2022 Quadrennial Regulatory Review*, MB Docket No. 22-459 (Mar. 3, 2023) at 9-10 [hereinafter *mF and FMC 2023 Comments*], <https://www.fcc.gov/ecfs/document/103041990002836/1>; See also Drew Harwell, *iHeartMedia laid off hundreds of radio DJs. Executives blame AI. DJs blame the executives*, Wash. Post (Jan. 31, 2020), <https://www.washingtonpost.com/technology/2020/01/31/iheartmedia-radio-artificial-intelligence-djs/>; See generally Updated Comments from the Screen Actors Guild – American Federation of Television and Radio Artists (SAG-AFTRA), *In re: 2018 Quadrennial Review*, MB Docket No. 18-349 (Sept. 6, 2022), <https://www.fcc.gov/ecfs/document/1090601697683/1>.

⁴³ See generally, Reply Comments of iHeartCommunications, Inc., *In re: 2022 Quadrennial Regulatory Review*, MB Docket No. 22-459 (Mar. 20, 2023), <https://www.fcc.gov/ecfs/document/103200220308899/1>; 2019 FCC Symposium, *supra* note 20.

⁴⁴ See Comments of musicFirst Coalition and Future of Music Coalition, *In re: Media Bureau Seeks Comment on the Status of Competition in the Marketplace for Delivery of Audio Programming*, MB Docket No. 18-227 (Dec. 20, 2018) at 23, <https://www.fcc.gov/ecfs/document/1020568622678/1> (citing Judann Pollack, *Radio's Health Is Better Than You Think, But What's The Long-Term Prognosis?*, AdAge (Apr. 17, 2018), <https://adage.com/article/media/mixed-signals-radio-s-health/313110/>) (last visited Jan. 14, 2026); See also David Hendricks, *iHeartMedia Financial Troubles Embedded in 2008 Leveraged Buyout*, San Antonio Express-News (Oct. 1, 2017), <https://www.expressnews.com/business/local/article/iHeartMedia-financial-troubles-embedded-in-2008-12241990.php>.

voiced remotely in order to cut costs further,⁴⁵ thereby further diminishing the local connection that AM/FM listeners appreciate.⁴⁶

For one example, Audacy-owned stations KCBS-AM in San Francisco (the number two news station in the market)⁴⁷ and KNX-FM Los Angeles (the number one news station in the market)⁴⁸ recently began airing the same programming originating out of KCBS in San Francisco from 12-5 a.m., including conjoined traffic reports with updates for both the Bay Area and Southern California.⁴⁹ Listeners have noticed the change, including the differences in regional dialects. As one Bay Area listener complained, “It’s really annoying listening to these new traffic reports from L.A., as they always say “the” before freeway and highways...”⁵⁰ [Southern Californians typically refer to their roads as “the 5, the 101, the 405,” etc.]. While San Francisco and Los Angeles

⁴⁵ See e.g. Steve Knopper, *Inside Radio’s Outsourcing Movement: ‘Voice-Tracking’ DJs Are Working Faster for Less*, Billboard (Jan. 11, 2021) (explaining that the use of voice-tracking air talent from remote locations has increased steadily since the 1990’s with a substantial uptick in use by radio owners in 2019-2020, with Entercom and iHeart overseeing voice-tracking from their headquarters, respectively), <https://www.billboard.com/pro/radio-voice-tracking-djs-outsourcing>; Charese Frugé, *Voice Tracking is the Norm Now, MC Media’s Charese Frugé Goes Back to ‘The Art of Voice Tracking’ in ‘The Bigger Picture’*, All Access Media (Jan. 27, 2022) (providing advice to radio stations and air talent in her column: “Let’s face it, voice tracking is no longer the future of radio, it is the norm for radio. And as much as we all wish everything was still “live and local,” that’s no longer practical with consolidation and downsizing.”), <https://www.allaccess.com/the-bigger-picture/archive/34262/the-art-of-voice-tracking>.

⁴⁶ See mF and FMC 2023 Comments, *supra* note 42 at iv, 2-8; See also *In re: Elimination of Main Studio Rule*, 32 FCC Rcd. 8158 (Oct. 24, 2017); *FCC Does Away With Main Studio Rule In Party Line Vote*, Inside Radio (Oct. 26, 2017), https://www.insideradio.com/fcc-doesaway-with-main-studio-rule-in-party-line/article_550e62fa-b951-11e7-a883-bfcf65386c0e.html; See also Dissenting Statement of Commissioner Mignon Clyburn: “By eliminating the main studio rule in its entirety for all broadcast stations — regardless of size or location — the FCC signals that it no longer believes those awarded a license to use the public airwaves should have a local presence in their community. Yes, the very same majority, that talks about embracing policies to promote job creation, is paving the way for broadcast station groups, large and small, to terminate studio staff and abandon the communities they are obligated to serve.”, *In re: Elimination of Main Studio Rule*, MB Docket No. 17-106 (Oct. 24, 2017), <https://www.fcc.gov/document/fcc-eliminates-main-studio-rule-0>.

⁴⁷ See *San Francisco Nielsen Audio PPM Monthly Ratings*, RadioInsight, <https://radioinsight.com/ratings/san-francisco/> (last visited Jan. 16, 2026).

⁴⁸ See *Los Angeles Nielsen Audio PPM Monthly Ratings*, RadioInsight, <https://radioinsight.com/ratings/los-angeles/> (last visited Jan. 16, 2026).

⁴⁹ See *KNX News, KCBS Radio Begin Overnight News Simulcast*, Barrett Media (Dec. 10, 2025), <https://barrettmedia.com/2025/12/10/knx-news-kcbs-radio-begin-overnight-news-simulcast/>.

⁵⁰ *Id.*

are both in the same state, they are as geographically distant as Williamsburg, Virginia and New York City, and have distinct local needs along with different ways of speaking.

Recall that FMC had noted in its 2010 comments that, at that moment in history, religious format stations, Spanish-format stations, Classical stations and Smooth Jazz stations were more prevalent among owners of smaller commercial radio clusters rather than those that were maxed out under current ownership limits.⁵¹ But since then, the noncommercial Educational Media Foundation (“EMF”), which now owns over 1,000 broadcast signals across all 50 states,⁵² has nearly monopolized, and homogenized on a nationwide basis, the Christian Music radio airwaves, including making it so that listeners of Christian music in any given city are likely listening to exactly the same playlists and shows as Christian music listeners in another city with completely different local needs.⁵³ A recent article about EMF has more than 40 comments – from listeners complaining about playlists that are homogenized in scope and sound (“same songs over and over, rarely new artists”) and their lack of local presence (“The thing that I am not sure EMF does is support the local community. The Fish Atlanta has served the

⁵¹ See *FMC 2010 Comments*, *supra* note 32 at 7.

⁵² See *Welcome To EMF*, Educational Media Foundation, <https://www.emfmedia.com> (last visited Jan. 16, 2026).

⁵³ See Jeff McLaughlin, *K-LOVE’s Expansion and the Unfair Landscape of Christian Radio*, McLaughlin Music Group (Jan. 3, 2025) [hereinafter *K-LOVE’s Expansion and the Unfair Landscape of Christian Radio*], <https://mclaughlinmusicgroup.com/k-loves-expansion-and-the-unfair-landscape-of-christian-radio>. See also Katie Thornton, *Why Is the Radio Full of Christian Rock? Thank This Nonprofit*, Rolling Stone (Jan. 21, 2024) [hereinafter *Why Is the Radio Full of Christian Rock?*], <https://www.rollingstone.com/music/music-features/christian-radio-educational-media-foundation-1234946121>, explaining that EMF represents “the story of the near-demise of local radio — a longtime haven for new music, artistic outcasts, and political dialogue — at the hands of a tax-avoiding not-for-profit organization that appears to operate like a very-much-for-profit media mega-corporation. For decades, EMF has hidden behind a veneer of uncoolness while honing a signature technique: At big commercial stations and small, beloved community-radio stations alike, they’ve offered the owners an undeniable sum of money, wiped out the local presence, and replaced it with unmanned transmitters. Almost every new EMF station operates as a repeater with no local voices, few local jobs, and barely any overhead.”

Atlanta metro giving to those in need. The Fish here in Atlanta will be sorely missed"), and from Christian music songwriters expressing frustration that EMF will not play their music ("I tried to get my award winning song on KLove and was told no"; "I'm all for supporting Christ-centered art, but it seems like the almighty dollar has too much of a strangle hold on the business and it's wringing out any independent voices that may have more of a chance in other genres").⁵⁴

Moreover, because local radio ownership caps do not apply to noncommercial stations, EMF can own more stations than its commercial counterparts are allowed to own in several markets. For example, EMF acquired eight FM frequencies including translators in the San Jose area, which also blocks out other entities who would like to be on the air from acquiring signals.⁵⁵ Meanwhile, the commercial radio industry voluntarily elected to virtually eliminate an entire music format from the FM airwaves, namely the Smooth Jazz format that had served diverse mature audiences in large, medium and small markets for several decades.⁵⁶

⁵⁴ See *K-LOVE's Expansion and the Unfair Landscape of Christian Radio*, *supra* note 53, comments of "Billy" - Jan. 3, 2025 at 4:07 p.m.; 'Matt' - Jan. 3, 2025 at 9:47 a.m.; 'Christopher Hart' - Jan. 3, 2025 at 9:49 a.m.; 'Bernie Connelly' - Jan. 31, 2025 at 12:00 p.m.

⁵⁵ See *Why Is the Radio Full of Christian Rock?*, *supra* note 53.

⁵⁶ See, e.g., Jim Harrington, *Smooth Jazz might be in big trouble*, East Bay Times (June 5, 2009), <https://www.eastbaytimes.com/2009/06/05/smooth-jazz-might-be-in-big-trouble>; David R. Adler, *Crossing Over: Is Smooth Jazz Dead?*, JazzTimes (Sept. 5, 2024), <https://jazztimes.com/features/columns/crossing-over-is-smooth-jazz-dead>; Colin Marshall, *The Rise and Fall of Smooth Jazz*, The New Yorker (July 6, 2023), <https://www.newyorker.com/culture/cultural-comment/the-rise-and-fall-of-smooth-jazz>.

CONCLUSION

The public interest requires that the Federal Communications Commission must keep intact, as is, its current numeric limits on the number of FM radio stations that one entity can own per geographic market in order to protect and promote viewpoint diversity, localism and competition between local AM/FM radio broadcasters.

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