



**ARIZONA BROADCASTERS ASSOCIATION**

**426 N. 44TH STREET, SUITE 310 PHOENIX, AZ 85008**

**PHONE: 602-252-4833 FAX 602-252-5265**

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# NEWSLETTER

**President & CEO: Art Brooks**  
**Exec. Asst.: Jennifer Latko**

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## FCC APPROVES SATELLITE RADIO MERGER

The satellite radio industry continues to get more FCC favor than over-the-air stations. Case in point is that the Federal Communications Commission approved in a 3-2 vote Sirius Satellite Radio Inc.'s buyout of XM Satellite Radio Holdings Inc.

Friday night, after days of wrangling over last-minute conditions, Republican Commissioner Deborah Taylor Tate voted to approve the deal and removed the final hurdle to the merger's completion. To secure her vote, the companies voluntarily agreed to pay a combined \$19.7 million in fines to settle FCC rule violations; including locating towers in un-approved locations and selling radios which exceeded power.

This effectively reverses a previous rule that expressly forbade the two firms from merging. Following the vote, NAB spokesman Dennis Wharton said, "We continue to believe that consumers are best served by competition rather than monopolies."

The FCC allows for the merger while at the same time attempting to reinstate regulations on localism guidelines that were abandoned by the FCC nearly 30 years ago. The ABA continues to oppose any attempt to reinstate any rules on localism.

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## SETTLEMENT WINDOW OPENS FOR LPTV & TV TRANSLATOR DIGITAL COMPANION CHANNELS

Low-power television (LPTV), Class A and TV translator stations have until July 31, 2008, to settle digital companion channel conflicts or else join Auction 85 in November, where construction permits for pending and mutually exclusive companion channel applications will be auctioned off. The settlement opportunity stems from the Federal Communication Commission's (FCC) requirement that all LPTV stations not required to make the digital television (DTV) switch on February 17, 2009, either convert to digital or locate a digital companion channel that will operate simultaneously with its analog channel.

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## ABA DTV OP-ED

Since June 20<sup>TH</sup> the ABA DTV Op-Ed, written by President & CEO Art Brooks, has been published in many newspapers across the state. If you haven't seen it please let us know so we can make sure it gets published in your area. Even for local radio stations it can be a useful new item to educate local OTA (over-the-air) TV viewers because you also may be getting calls regarding the DTV transition.

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