

Power Outlets

**By Reg P. Wydeven
December 29, 2007**

In my favorite movie saga of 'Star Wars', Chancellor Palpatine uses the excuse of the Clone Wars to give his office more emergency powers. He eventually converts the Republic into an Empire and declares himself Emperor.

As Emperor, he begins to spread his New Order doctrine of human superiority, discriminating against all of the aliens in the galaxy. The far-reaching Empire takes over every aspect of its citizens' lives, including all the media outlets. The media outlets spread the Emperor's propaganda and snuff out the tales of travesties perpetuated against aliens, leading to a rebellion led by familiar heroes Luke Skywalker, Han Solo and Princess Leia.

While this is only a movie, Congress fears a recent ruling by the Federal Communications Commission may lead to a real-life media monopoly.

In a controversial 3 to 2 vote, the FCC overturned a 32-year-old ban by allowing broadcasters in America's 20 largest media markets to also own a newspaper. The new rule permits one entity to own a newspaper and one broadcast station within the same market. However, that market must be among the 20 largest media markets in the country. Also, following the transaction, at least eight independently owned-and-operated media voices must remain. Finally, the television station may not be among the top four in the market.

In 1975, the FCC imposed a ban on cross-ownership of television stations and newspapers to serve "the twin goals of diversity of viewpoints and economic competition." Fearing a New Order like that in 'Star Wars', the FCC claimed the rule was necessary as "it is unrealistic to expect true diversity from a commonly owned station-newspaper combination."

Those supporting the new rule feel the ban is no longer necessary because of the explosion of new media outlets on cable television and the Internet over the last 30 years. Opponents of the new rule believe local news reporting will become a casualty of huge media conglomerates.

FCC Chairman Kevin Martin described the new cross-ownership rule as "the most contentious and divisive issue" to come before the commission. Twenty-five senators sent Martin a letter threatening that if it was passed, they will move legislation to revoke the rule and nullify the FCC's action. Martin is supported by the White House, however, which quickly responded with a letter from Commerce Secretary Carlos Gutierrez that opposes "any other attempt to delay or overturn these revised rules by legislative means."

Six newspaper-broadcast companies received waivers from the new rule and 36 stations were grandfathered. The majority of these combinations predated the 1975 ownership ban, while others stations are owned by companies that have yet to renew their licenses and not been forced to comply with the ban.

The FCC also passed a rule that imposes a 30 percent national cap on subscribers for cable companies. Obviously opposed by cable companies, the rule prevents a single cable television provider from serving 30 percent or more of the national pay television audience. This rule was designed to keep huge cable companies like Comcast Corp., which has a nationwide market share of pay-television subscribers of 27 percent, from getting too big.

If our newspaper gets purchased by a television company, I hope it's the Sci-Fi Channel and they give free 'Star Wars' memorabilia to their writers. May the Force Be With You in 2008.

This article originally appeared in the Appleton Post-Crescent newspaper and is reprinted with the permission of Gannett Co., Inc. © 2007 McCarty Law LLP. All rights reserved.