

longer qualifying for bidding credits under this section, the licensee must seek Commission approval and reimburse the government for the amount of the bidding credit as a condition of the approval of such assignment, transfer or other ownership change.

(2) If during the term of the initial license grant (see § 24.15), a licensee that utilizes a bidding credit under this section seeks to assign or transfer control of its license to an entity meeting the eligibility standards for lower bidding credits or seeks to make any other change in ownership that would result in the licensee qualifying for a lower bidding credit under this section, the licensee must seek Commission approval and reimburse the government for the difference between the amount of the bidding credit obtained by the licensee and the bidding credit for which the assignee, transferee or licensee is eligible under this section as a condition of the approval of such assignment, transfer or other ownership change.

10. Section 24.720 is amended by revising paragraphs (l)(11)(ii) and (n)(3) and adding paragraph (n)(4) to read as follows:

#### § 24.720 Definitions.

\* \* \* \* \*

(l) \* \* \*

(11) \* \* \*

(ii) For purposes of § 24.713(a)(2) and paragraph (b)(2) of this section, an entity controlled by *members of minority groups* is not considered an *affiliate* of an applicant (or licensee) that qualify as a *business owned by members of minority groups and/or women* if affiliation would arise solely from control of such entity by members of the applicant's (or licensee's) control group who are *members of minority groups*. For purposes of this paragraph (l)(11)(ii), the term minority-controlled entity shall mean, in the case of a corporation, an entity in which 50.1 percent of the voting interests is owned by *members of minority groups* or, in the case of a partnership, all of the general partners are *members of minority groups or entities controlled by members of minority groups*; and, in all cases, one in which *members of minority groups* have both *de jure* and *de facto* control of the entity.

\* \* \* \* \*

(n) \* \* \*

\* \* \* \* \*

(3) For purposes of assessing compliance with the minimum equity requirements of § 24.709(b) (5) and (6), where such equity interests are not held

directly in the applicant, interests held by *qualifying investors* shall be determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain.

(4) For purposes of assessing compliance with the minimum equity requirements of § 24.713(b) (5) and (6), where such equity interests are not held directly in the applicant, interests held by *qualifying investors* and *qualifying minority and/or women investors* shall be determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain.

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#### 47 CFR Part 73

[MM Docket Nos. 91-221 and 87-8; 94-149 and 91-140; and 94-150, 92-51 and 87-154; DA 95-1373]

#### Mass Media Ownership Rules

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** The Commission granted an extension of time to file reply comments in the above three proceedings in response to a request filed by the Minority Media and Telecommunications Council to extend the filing dates for two of the three proceedings. The three related rulemaking items involve ownership of television stations, minority and female ownership of mass media facilities, and attribution of ownership interests.

The Commission had already granted an extension of the original deadline for filing comments in the three proceedings from April 17, 1995, to May 17, 1995, and had extended the original deadline for filing reply comments from May 17, 1995, to June 19, 1995. 60 Fed. Reg. 19566 (April 19, 1995). Petitioners requested an additional two-week extension of time to file reply comments in the proceedings dealing with minority and female ownership and attribution. The Commission determined that a three-week extension was warranted for all three proceedings because of the possible relevance of the issues addressed by the Supreme Court in *Adarand Construction v. Pena*, No. 93-1841 (June 12, 1995).

**DATES:** Reply comments are now due on July 10, 1995.

**ADDRESSES:** Federal Communications Commission, Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:**

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#### SUPPLEMENTARY INFORMATION:

#### Order Granting Extension of Time for Filing Reply Comments

Adopted: June 16, 1995; Released: June 16, 1995

By the Chief, Mass Media Bureau:

1. On December 15, 1994, the Commission adopted three related rulemaking items regarding ownership of television stations, minority and female ownership of the mass media, and attribution of ownership interests. *Further Notice of Proposed Rule Making* in MM Docket Nos. 91-221 and 87-8, 10 FCC Rcd 3524 (1995) 60 FR 6490, February 2, 1995 (*TV Ownership Further Notice*); *Notice of Proposed Rule Making* in MM Docket Nos. 94-149 and 91-140, 10 FCC Rcd 2788 (1995) 60 FR 6068, February 1, 1995 (*Minority/Female Ownership Notice*); *Notice of Proposed Rule Making* in MM Docket Nos. 94-150, 92-51, and 87-154, 10 FCC Rcd 3606 (1995) 60 FR 6483, February 2, 1995 (*Attribution Notice*). Comments in all three proceedings were initially due on April 17, 1995, and reply comments were initially due on May 17, 1995. By *Order* released April 7, 1995 60 FR 19566, April 19, 1995, the time for filing comments in the three proceedings was extended to May 17, 1995, and the time for filing reply comments was extended to June 19, 1995. In addition, in an *Order* released on June 15, 1995, we extended the time for filing reply comments in response to the *TV Ownership Further Notice* to June 30, 1995.

2. On June 16, 1995, the Minority Media and Telecommunications Council (Petitioner) filed a request for an additional two-week extension of time to file reply comments in response to the *Attribution Notice* and the *Minority/Female Ownership Notice*. Petitioner contends additional time is needed to analyze the effect of the Commission's minority ownership policies of the Supreme Court's recent decision in *Adarand Construction v. Pena*, No. 93-1841 (June 12, 1995).

3. As set forth in Section 1.46 of the Commission's Rules, 47 CFR § 1.46, it is our policy that extensions of time for filing comments in rulemaking proceedings shall not be routinely granted. The initial comment period in all three proceedings was longer than usual, and one 30-day extension of time for all three proceedings has already been granted. However, because of the possible relevance of the issues addressed in *Adarand* to the highly