

forwarded their recommended proposals for the conference to the Department of State. No other action has been taken in this proceeding.

4. WRC-93 adopted recommendations to the ITU's Administrative Council for a substantive agenda for WRC-95, and a preliminary agenda for WRC-97. Because WRC-93 has concluded, and no further purpose would be served by keeping this docket open, we are hereby terminating this proceeding. Public comment concerning future World Radiocommunication Conferences will be sought in IC Docket No. 94-31.

5. Accordingly, *It Is Ordered* That, pursuant to the authority of sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r), this proceeding is terminated.

Federal Communications Commission.

LaVera F. Marshall,
Acting Secretary.

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47 CFR Part 73

[MM Docket Nos. 94-150, 92-51, and 87-154; FCC 94-324]

Broadcast Services; Television and Radio Broadcasting

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission, through Notice of Proposed Rule Making (NPRM) initiates a thorough review of its broadcast media attribution rules contained in Notes to 47 CFR 73.3555. This Notice of Proposed Rule Making requests comment on the many issues pertinent to our analysis of whether the current attribution rules continue to be effective in serving their goals or whether changes to the rules are required. This proceeding is appropriate to ensure that the broadcast attribution rules conform with other related Commission rules and to ensure that these rules effectively implement the Commission's broadcast multiple ownership rules by identifying those interests that have the potential to influence the licensee in core operating areas, such as programming. Comments are sought with respect to the current corporate stockholding attribution benchmarks, the single majority shareholder exemption, the nonattribution of nonvoting stock, and the treatment of limited partnership interests. Additionally, comment is sought on how to treat Limited Liability

Companies and Registered Limited Liability Partnerships for attribution purposes. The attribution rules are a critical enforcement mechanism for the Commission as it applies its multiple ownership rules. Comments are also sought on the remaining aspects of the Commission's cross-interest policy and on what multiple "cross-interests" or otherwise nonattributable interests, when viewed in combination, raise diversity and competition concerns warranting regulatory oversight.

DATES: Comments are due by April 17, 1995, and reply comments are due by May 17, 1995.

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

FOR FURTHER INFORMATION CONTACT: Mania K. Baghdadi, Mass Media Bureau, Policy and Rules Division (202) 418-2130, or Robert Kieschnick, Mass Media Bureau, Policy and Rules Division (202) 418-2170.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making in MM Docket Nos. 94-150, 92-51, and 87-154, FCC 94-324, adopted December 15, 1994, and released January 12, 1995. The complete text of this NPRM is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C., and also may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, N.W., Suite 140, Washington, DC 20037.

Synopsis of Notice of Proposed Rule Making

1. This NPRM initiates a thorough review of the Commission's broadcast media attribution rules (found in 47 CFR 73.3555), which "define what constitutes a 'cognizable interest' for the purpose of applying the multiple ownership rules to specific situations."¹

The multiple ownership rules limit the number of broadcast stations that a single person or entity, directly or indirectly, is permitted to own, operate, or control, so as to foster programming diversity by encouraging diversity of ownership, and to assure competition in the provision of broadcast services.

2. The broadcast industry and other Commission rules have changed since

these rules were last revised. For example, the multiple ownership rules themselves have been relaxed, and, concurrently with this decision, the Commission has adopted a Further Notice of Proposed Rule Making (Further Notice of Proposed Rule Making in MM Docket No. 91-221, FCC 94-322, adopted December 15, 1994), which seeks comments as to whether we should relax national and local multiple ownership limits for television stations, including the one-to-a-market rule.

Also, in an additional separate proceeding published elsewhere in this edition of the **Federal Register**, the Commission is considering a variety of measures, including relaxing our attribution rules, to aid the entry of minorities and, if deemed necessary, women into broadcasting. The Commission wishes to ensure that the attribution rules remain effective in light of the previous and proposed relaxation of the multiple ownership rules.

3. Additionally, the Commission is concerned that certain nonattributable investments, while completely permissible, may permit a degree of influence that warrants their attribution for multiple ownership purposes. Moreover, the Commission is also concerned that otherwise permissible cooperative arrangements between broadcasters are being used in combination by those broadcasters to obtain, indirectly, controlling interests in multiple stations that they would be prohibited from holding directly under the multiple ownership rules. Further, this proceeding will consider how to treat, for attribution purposes, new business forms, such as Limited Liability Companies (LLCs). Finally, this review will ensure that any differences between the broadcast attribution rules and recently adopted or revised attribution rules for other regulated services are justified by other factors, such as differences between the media or our policies regulating them.

4. While the Commission's focus is on the issues of influence or control, at the same time, the attribution rules must be tailored to permit arrangements in which a particular ownership or positional interest involves minimal risk of influence, in order to avoid unduly restricting the means by which investment capital may be made available to the broadcast industry. The Commission intends to ensure that any revisions to the attribution rules meet these stated goals, are clear to broadcast regulatees, provide reasonable certainty and predictability to allow transactions to be planned, ensure ease of processing, and provide for the

¹ *Report and Order* in MM Docket No. 83-46, 49 FR 19482, May 8, 1984 (*Attribution Order*), *On recon.*, *Memorandum Opinion and Order* in MM Docket No. 83-46, 50 FR 27438, July 3, 1985 (*Attribution Reconsideration*), *on further recon.*, *Memorandum Opinion and Order* in MM Docket No. 83-46, 52 FR 01630, January 15, 1987 (*Attribution Further Reconsideration*).