



The Signal

MDCD Board Appoints New Directors

The MDCD Board of Directors had its final meeting of 2010 on September 29 in Washington, DC.

The first agenda item was to fill the two open Board director seats left vacant with the resignations of Eric Meyrowitz and Martha Burns.

The Board approved Hugh Breslin, the Vice President/General Manager of WHAG-TV, Hagerstown, MD to replace Martha Burns.

At a later date, Ms. Jackie Bradford, General Manager of WRC-



Treasurer Bob Bloom discusses his report during the 4th Quarter Board Meeting.

TV, the NBC Affiliate in Washington, DC was named to replace Eric Meyrowitz.

Other items discussed during the productive Board meeting were the upcoming dues packet, the 2011 budget, and legislation regarding no cell phones in Maryland courtrooms.

Following the Board meeting, the Board members were invited to attend the reception honoring Roy Stewart.

MDCD Honors Roy Stewart

MDCD honored Roy Stewart, retired FCC Chief of the Mass Media Bureau, with a reception held during the 2010 NAB Radio Show. MDCD joined with the Virginia Association of Broadcasters, and Fletcher, Heald and Hildreth, PLC to recognize Mr. Stewart's dedicated years of service to the broadcast industry in a career that spanned over 40-years with the Federal Communications Commission.



Jordan Wertlieb, Chairman of MDCD, Doug Easter, Executive Director of VAB, Frank Jazzo, Frank Montero, and Scott Johnson of Fletcher, Heald & Hildreth present Roy Stewart (middle) with his lifetime achievement award.

Roy Stewart began his career at the FCC in 1965 as an attorney in the Television Application Branch of the Broadcast Bureau. In 1974, he was appointed Chief of the Transfer Branch and subsequent-

ly named Chief of the Broadcast Bureau Renewal and Transfer Division in 1979. Following a reorganization of the Broadcast Bureau in 1982, Stewart was named Chief of the Mass Media Bureau's Video Services Division. In October 1989, Mr. Stewart was appointed Chief of the Mass Media Bureau. He retired in 2009.

Frank Montero, Fletcher, Heald & Hildreth, PLC presented the award, thanking Mr. Stewart for being a friend of broadcasters adding that everyone in the room misses him at the FCC.



THE Chairman's MESSAGE

Jordan Wertlieb

Dear Broadcasters,

We are just a few weeks away from the conclusion of a very exciting year and as the recent mid term elections proved, the tremendous importance of broadcasting has never been clearer. Providing forums for political debate, analysis and, of course, advertising, broadcasters have once again demonstrated their critical role in the democratic process.

For the past few months, your Association has been working very hard advocating on your behalf the key issues that affect our industry. In August, members of your Board of Directors met with members of the Maryland Congressional Delegation to discuss the Performance Royalty Tax facing radio stations, the Retransmission Consent rules which are now being scrutinized even further, and more.

At the September Board Meeting, the Board of Directors welcomed new Director, Hugh Breslin of WHAG, in Hagerstown and heard from FCC Associate Chief William Freedman on the issues facing broadcasters today. The Association also co-hosted a reception with the Virginia Broadcasters and our legal counsel Fletcher, Heald, Hildreth, PLC, at the RAB Radio show, honoring the FCC's Roy Stewart.

Members of the Association have also seen a new commitment to communication and training as our counsel, Frank Jazzo and his associates have provided webinars on Political Advertising and Indecency regulations in the past few months.

While we hope you have taken advantage of the improvements of the past few months, the year ahead will provide us even greater opportunity to strengthen our Association. The next meeting of the MDCD Board of Directors will be held in conjunction with the NAB State Leadership Conference in Washington DC. We encourage you to attend this year's State Leadership conference as we prepare to visit the congressional delegations of Maryland, Delaware and the District of Columbia to discuss the important issues facing Radio and TV operators throughout our region. We also hope you will take time to visit with members of the Board during that time.

This year your Board of Directors voted to implement dues. Our membership is our strength. With the important broadcasters issues at stake, please make sure to join the Association by December 31, 2010.

Finally, if you have not already done so, please take a moment to visit our Association's website, www.mdcdbroadcasters.com and please share this newsletter with your staff. All employees of our member stations are encouraged to take advantage of the training and resources the Association provides.

I hope you agree we are well on our way to making the MDCD Broadcasters an important voice in our region. Thank you for your continued support of the Association and best wishes for a strong finish to 2010 and a great start to 2011.

Sincerely,

MDCD Board of Directors

Chairman

Jordan Wertlieb, WBAL-TV

Vice Chairman

Dave Aydelotte, WCBC Radio

Secretary

Rudy Guernica, Univision

Treasurer

Bob Bloom, Delmarva Radio

Past Chairman

Mark Hyman, Sinclair Broadcasting

Directors By Region

Baltimore City

Bill Hooper, WMAR-TV

Ed Kiernan, WBAL Radio

Bob Pettit, WCBM Radio

Maryland

Hugh Breslin, WHAG-TV

Craig Jahelka, WBOC-TV

Bill Parris, Multicultural Broadcasting

Bill Prettyman, Prettyman Broadcasting

Washington, D.C.

Jackie Bradford, WRC-TV

Mario Christino, Radio One

Alan Sawyer, WUTB-TV/FOX TV

Jim Watkins, WHUR-FM

Delaware

Jane Bartsch, Beasley Radio

Joe Beail, Delmarva Radio

Chris Walus, Clear Channel Radio

At Large

Howard Mazer, Radio One

Associate

Dan Spears, BMI

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Update on Performance Royalty

In an attempt to resolve the performance fee issue, the National Association of Broadcasters Radio Board of Directors met on October 25 in Washington, DC and approved a "Term Sheet." This list of requirements was presented to musicFIRST, the coalition of musicians, recording artists, music businesses and supporters who are pushing for the performance fee.

According to the Term Sheet, music-playing terrestrial radio stations would pay a performance fee between 0.25% and one percent of a stations revenue depending on a provision related to the penetration of FM radio-activated mobile phones in the United States.

Adjustments have been made for small radio station operators and noncommercial stations. Furthermore, religious stations, news talk radio and sports stations are exempt from paying the performance fee.

Gordon Smith said the Term Sheet "represents a path forward for radio broadcasters and musicFIRST to resolve this contentious issue in a manner that is fair and equitable to both sides. Radio stations, artists and the record labels have more commonalities than differences, and adoption of legislation that reflects this Term Sheet will provide a framework for untold new revenue opportunities for both sides. We look forward to working with musicFIRST and its allies for swift legislative adoption of this entire package of initiatives that will help our business flourish in the digital age."

To read the Term Sheet in its entirety, please visit: http://www.nab.org/documents/newsroom/pdfs/102510_NABTermSheet.pdf

We will send new information as it becomes available.

According to the NAB, any legislation resolution regarding a Performance Fee must include the following provisions:

- Permanent removal of the Copyright Royalty Board from rate-setting of transmissions of terrestrial on-air music or Internet streaming;
- Resolution of the "AFTRA issue" outside of the legislative process by the musicFIRST coalition that would facilitate simulcast of over-the-air radio commercials on the Internet;
- musicFIRST's acknowledgment and recognition of the unparalleled promotional value of terrestrial radio airplay;
- Simplified airplay reporting requirements similar to the model used by ASCAP/BMI;
- Congressionally-mandated FM radio-activated chips in mobile devices such as cell phones and BlackBerry smartphones, with an acceptable phase-in period and inclusion of HD Radio chips when economically feasible. If a legislative mandate (which musicFIRST has agreed to support) becomes initially unattainable, radio broadcasters would agree to an initial performance fee payment of .25% of net industry revenue. Under this scenario, the performance fee would mirror the actual percentage of radio-activated mobile phones in the United States. Once market penetration of FM radio-activated mobile devices reaches and maintains a level of 75 percent of all mobile devices, broadcasters agree to pay the full one percent terrestrial transmission performance fee.
- Assuming a successful mandate of FM radio-activated chips in mobile devices, streaming rates that broadcasters pay for simulcasts, webcasts and other non-terrestrial transmissions of music through 2016 would be reduced. In the event that a legislative mandate for radio chips in mobile devices is not achieved, the streaming rate reduction would not take effect until 50 percent of mobile phones have radio chips.

MDCD Congressional Meetings

Members of the MDCD Board of Directors and local broadcast representatives met with members of the Maryland Congressional Delegation in districts across the state as an important part of the Association's government relations program.

Representatives from MDCD met with two key members of Congress during the August Recess including Representative Chris Van Hollen on August 31, and Representative John Sarbanes on September 2.

During recess, representatives hold meetings in their district offices in order to hear first hand the concerns of their constituents. The meetings provide a unique opportunity for one-on-one dialogue with the state's elected officials, allowing broadcasters the opportunity to discuss the industry's position on issues before

Congress. Topics of these meetings included spectrum management, retransmission consent, and performance tax.

Hartley Adkins, WASH-FM, Rockville, MD participated in the congressional meeting with Representative Van Hollen said that: "Overall it was a very productive meeting. Being in the district allows you to really discuss the important issues and to make your point to the representative."

Chairman Jordan Wertlieb enjoyed meeting with Representative Sarbanes saying, "It was a great opportunity to meet with Congressman Sarbanes and discuss performance tax, retransmission consent and other issues currently affecting broadcasters."

2011 State Leadership Conference

Please Mark Your Calendars
2011 NAB State Leadership Conference
February 28-March 2

The National Association of Broadcasters 2011 State Leadership Conference will be held on February 28 – March 2. The conference will be at the Hyatt Regency Washington on Capitol Hill. This annual event allows broadcasters to hear from federal policymakers and meet with legislators to discuss issues that affect our industry. The program for the conference will be announced closer to the date but will provide a thorough update of current legislative issues and will serve as opportunity to network with broadcasters from across the country.

Registration for the 2011 State Leadership Conference will begin in November 2010.

Congratulations To WTOP-FM *Winner of Two Marconi Awards!*

WTOP-FM, Washington, DC won two 2010 NAB Marconi Radio Awards. The NAB Marconi awards were announced Thursday, September 30 at the annual Marconi Radio Awards Dinner and Show held at the NAB Radio Show in Washington, DC. The Marconi Awards honor radio stations and on-air personalities for excellence in broadcasting.

WTOP-FM, Washington, DC won for Station of the Year in a Major Market and for Station of the Year by Format.

Meet MDCD Director Hugh Breslin

MDCD welcomes Hugh Breslin as one of our newest Board members. Representing Maryland, Hugh was approved as a director of the Board during the 4th quarter Board meeting in September. He is the Vice President/General Manager/General Sales Manager of WHAG-TV, Hagerstown, MD which is owned by Nexstar Broadcasting Group, Inc.

Hugh has been with the company for 33 years and since his responsibilities involve every aspect of the business, everyday is different and exciting. His management style is simple and to the point, "Hire the best, most talented people I can and then challenge them to be the best at what they do. I try to be very clear as to our station's mission and how each staff member's job responsibility fits that mission. Once having done so, I try to get out of the way and let folks get it done."

Hugh is honored to have been selected for the Association's Board of Directors and is anxious to become involved saying, "Our broadcast Association is very important in helping to keep all broadcast operators in our region focused on the need to be engaged with legislators at the state and federal level so that they better understand our business and the way we serve our communities like no other business can or do."

When asked what he felt was the number one current priority of a general manager today Hugh responded by saying, "To be a leader who acts as an agent for change to insure that all staff recognize the need to look for new and different ways to interact and serve our communities. We are in the content creation business and must be very smart in how we make that content available across multiple platforms...traditional TV, web portal and mobile."

And the biggest industry challenge? "Greater intrusion of an increased regulatory environment on our business, stifling our ability to compete effectively in an ever increasing competitive business landscape."



Hugh on set at WHAG-TV

Hugh's first exposure to the broadcast industry came while he was a junior at the University of Maryland and he served as a summer intern in the programming department at WDVM-TV (now WUSA-TV in Washington, DC).

Hugh, a son of an army officer, was born in Frankfurt, Germany. His family moved to Bowie in Prince George's County, and he has spent most of his life in the state of Maryland.

Hugh graduated from Archbishop John Carroll High School in Washington, DC and received a Bachelor of Arts in Speech Communications from the University of Maryland, College Park.

He has been married to wife Alice for 31 years, and they have four children: Casey Marie, Hugh, Kevin, and Caitlin.

When Hugh is not at the station, he enjoys golfing, fishing and watching his children compete in athletics.

Lately, work has occupied most of his time; WHAG-TV recently committed to expanding its local service, and expanded its news programming an additional 11 hours of programming with another news bureau that opened in Clark County, VA.



Hugh is pictured with his family at his daughter's wedding.

Membership Benefit - Cheaper Inspections

In cooperation with the FCC, MDCD has developed an FCC Technical Station Inspection Program to help stations comply with FCC regulations. The MDCD FCC “technical” station inspection program is being implemented pursuant to an agreement between MDCD and the FCC’s Field Office. Under this program, if you are inspected by an MDCD approved technical inspector and are certified by MDCD to be in compliance with the FCC’s technical rules, the FCC Field Office will not conduct a routine inspection of your station for **three** years.

Cost of Inspections*

Television:

MDCD Member TV Station	\$ 850.00
MDCD Member LPTV Station	\$ 650.00
Non-Member TV Station	\$1,050.00
Non-Member LPTV Station	\$ 850.00

Radio

MDCD Member Radio Station:	\$500.00 for the first station \$250.00 for each additional commonly owned station
Non-Member Radio Station:	\$800.00 for the first station \$300.00 for each additional commonly owned station.

***As of November 1, stations must be MDCD members to receive the above pricing.**

To sign up for the FCC technical inspection, please visit our website at www.mdcdbroadcasters.com and complete the registration form and return it to:

Lisa Reynolds
MDCD
Post Office Box 342
Raleigh, North Carolina 27602

News and Notes

Congratulations to 98 ROCK! 98 ROCK just accepted the “Sustained Excellence” Award from the American Red Cross.

In 25 years of doing an annual blood drive, 98 ROCK and the ARC partnership has brought in over 30,000 pints of blood.

On October 20, 2010, Maryland’s Courts Standing Committee on Rules of Practice and Procedure approved **Rule #16-110 regarding electronic equipment in the Court Room.** Prior this ruling, The Court System in Maryland did not have set rules for use of electronics in the courtroom.

Rule #16-110 sets a standard policy where electronic devices can be used in the courthouse, but must remain off in courtrooms or jury deliberation rooms.

To read the rule in its entirety please visit the Association’s website at www.mdcdbroadcasters.com.

When Congress returns after recess, it is expected to give final approval to **The Commercial Loudness Mitigation Act.** This legislation empowers the FCC to regulate the loudness of TV Commercial and to ensure that commercials are no louder than their accompanying program.

If this legislation is approved, stations will need to learn to correctly monitor all content in order to control commercial loudness.

MDCD welcomes **Chris Wegmann** to Washington, DC as Vice President/General Manager for Radio One’s five-station cluster in Washington, DC.

Mr. Wegmann has been in the broadcasting industry for over 30 years. He joined Radio One in March 2009 as Vice President/General Manager of St. Louis and Regional Vice President over Dallas. He will continue to hold these positions.

WBAL Radio’s John Patti won the National Edward R. Murrow Award for News Series for his program “Christmas in Maryland.” This was John’s tenth national Murrow.

“Christmas in Maryland” is an audio postcard that captures the special traditions of Marylanders celebrating the holidays. It’s a journey across the state, from the big cities to small towns, with stories of the season at every stop. From the thrill of a ride in a horse-drawn sleigh to the bright lights of an entire Baltimore neighborhoods decorated in colors. It’s all part of a special 14-hour broadcast.

On Friday, October 8, President Obama signed into law the **Twenty-First Century Communications and Video Accessibility Act of 2010.** This Act requires broadcasters take additional steps to ensure that content is available to persons with disabilities.

MDCD

888-FON-MDCD * 888-366-6323

www.mdcdbroadcasters.com

2011 Dues are Due

MDCD advocates on behalf of America's free, local radio and television stations before Congress, the Federal Communications Commission, State General Assemblies and the courts. Our work ensures broadcasters can operate in a marketplace free of unnecessary regulation. With spectrum and performance royalty fee issues on the forefront, your support of your state broadcasting association is more important than ever.

Dues support the general administrative costs of running the organization, and provide the resources to make our voices heard as topics of interest to broadcasters are discussed.

MDCD sits in the backyard of Congress, therefore we should have a seat at the table when our legislators make decisions that affect our industry.

ANYONE that supports the issues that MDCD stands for should and can be a member of MDCD. There is "Power in Numbers" and the time is now to renew your investment in your Association, MDCD.

BENEFITS OF MEMBERSHIP:

- Access to the members' only section of the MDCD website that will include a member directory, a job bank, and important broadcasting news.
- Scheduling of the FCC Inspection Program (ABIP) at a reduced rate.
- Quarterly Newsletters.
- Reduced cost for MDCD events such as Annual Conventions.
- Congressional Meetings and State Leadership Conference Meetings.
- Access to the Legal Hotline and Legal Webinars.
- RAB Training - every radio station will be able to participate in RAB webinars.

Please make sure to pay your dues by December 31, 2010.

Legal Webinars

On October 20, the Association held a legal webinar on Indecency. The taped presentation and a copy of the slides used during the presentation can be found on the Association's website, www.mdcdbroadcasters.com, under the resources tab.

The Indecency webinar reviews the history of the FCC's indecency policy from the 1978 Pacifica/George Carlin decision to the most recent Second Circuit decision in the Fox case. It examines the back-and-forth development of the policy in a number of milestone cases.

UPCOMING LEGAL WEBINAR:

License Renewal Webinar: January 2011

Maryland and DC Radio License Renewals are due June 1, 2011. Pre-file announcements are scheduled to begin April 1, 2011. In January, MDCD Legal Counsel will be available to walk you through the renewal process.

Jazzo Selected as FCC Counsel for MDCD

This past summer, MDCD selected Frank Jazzo and his firm Fletcher, Heald & Hildreth, PLC (“FHH”), as the new FCC counsel to the Association. FHH is a full-service communications law firm based in Arlington, Virginia. Frank is the Co-Managing Member of FHH and has been with the firm for 27 years.

Frank graduated magna cum laude, receiving a B.S. from the University of Albany, State University of New York. He received his J.D. from the UCLA School of Law. While attending law school, Frank had a full-time internship with the U.S. House of Representatives Telecommunications Subcommittee.

Frank and his firm represent a number of state broadcast associations. He attended his first state broadcast meeting in 1988, where he was honored to sit on the dais with then-Governor Bill Clinton, and Arkansas First Lady Hillary Rodham Clinton. Having re-

cently seen the Governor’s appearance on “The Tonight Show,” Frank remarked to the future President, “You played a mean saxophone!”

Frank and his firm provide FCC advice to MDCD members through the legal hotline at 888-FON-MDCD. Frank and his firm furnish a monthly legal newsletter, “MDCD Memorandum to Members,” which is distributed free of charge to MDCD members. Frank and FHH also provide MDCD with quarterly legal webinars. Recent webinars have included a political broadcasting webinar in July, and a broadcast indecency webinar in October. FHH plans a license renewal webinar for this coming January. Frank also attends MDCD’s Board Meetings to provide Washington updates to MDCD’s Board.

Frank has been a Sunday Season Plan ticket holder for the Baltimore Orioles for a number of seasons.

Thank You For Running NCSA Spots!

MDCD partners with several non-profit organizations to create a “win-win” situation for everyone. The Association promotes and supports each of these organizations by encouraging radio and television stations to air the NCSAs.

In return, each organization provides a supplemental financial grant to MDCD. The organizations “win” by getting their message out to listeners and viewers on a statewide basis and on a level they could not achieve on their own. MDCD and its member stations “win” by utilizing the supplemental grant to support and expand member programs and services.

MDCD currently sponsors with:

- Army National Guard
- Coming soon — United States Coast Guard

Please send your affidavits to info@mdcdbroadcasters.com, or mail to P.O. Box 342, Raleigh, NC, 27602. If you need copies of any of these announcements, please call the MDCD office at 888-366-6323.

Thank you for your support!



Pictures from the September Board of Directors Meeting and the Reception Honoring Roy Stewart.





Did You Know?

In light of an active election cycle, we are providing you with some political history. Where did the Democrats and Republicans ever come up with the animal symbols of the parties we've become accustomed to? The Democrats and the donkey came about first in History. But here's the story:

When Andrew Jackson ran for president in 1828, his opponents tried to label him a "jackass" for his populist views and his slogan, "Let the people rule." Jackson turned it to his advantage by using the donkey on his campaign posters. During his presidency, the donkey was used to represent Jackson's stubbornness when he vetoed re-chartering the National Bank.

In 1837, the donkey was used in a political cartoon for the first time to represent the Democratic party, again in conjunction with Jackson. Jackson was retired, but still considered himself the party's leader. Kind of like President Clinton was doing after he was no longer President. The cartoon, titled "A Modern Baalim and his Ass," showed Jackson trying to get the donkey to go where he wanted it to go.

Interestingly enough, the person credited with getting the donkey widely accepted as the Democratic party's symbol was Political Cartoonist Thomas Nast. He first used the donkey in an 1870 Harper's Weekly cartoon, to represent the "Copperhead Press" kicking a dead lion, symbolizing Lincoln's Secretary of War Edwin M. Stanton, who had recently died. Nast intended the donkey to represent an anti-war faction with whom he disagreed, but the symbol caught the public's fancy and the cartoonist continued using it to indicate some Democratic editors and newspapers

James Gordon Bennett's New York Herald raised the cry of "Caesarism" in connection with the possibility of a third term try for President Ulysses S. Grant. While the illustrated journals were depicting Grant wearing a crown, the Herald involved itself in an-

other circulation-builder in an entirely different, non-political area. This was the Central Park Menagerie Scare of 1874, a delightful hoax perpetrated by the Herald. They ran a story, totally untrue, (like Dan Rather would do), that the animals in the zoo had broken loose and were roaming the wilds of New York's Central Park in search of prey. Cartoonist Thomas Nast took the two examples of the Herald enterprise and put them together in a cartoon for Harper's Weekly. He showed an ass (symbolizing the Herald) wearing a lion's skin (the scary prospect of Caesarism) frightening away the animals in the forest (Central Park). The caption quoted a familiar fable: "An ass having put on a lion's skin roamed about in the forest and amused himself by frightening all the foolish animals he met within his wanderings."

It showed the alleged Democratic uneasiness over a possible third term for Ulysses S. Grant. In conjunction with this issue, Nast helped associate the elephant with the Republican party. Although the elephant had been connected with the Republican party in cartoons that appeared in 1860 and 1872, it was Nast's cartoon in 1874 published by Harper's Weekly that made the animal stick as the Republican's symbol. A cartoon titled "The Third Term Panic," shown to the left showed animals representing various issues running away from

a donkey wearing a lion's skin tagged "Caesarism." The elephant labeled "The Republican Vote," was depicting the Republican vote as running inexorably into a tar pit of inflation and chaos.

The Democrats think of the elephant as bumbling, stupid, pompous and conservative -- but the Republicans think it is dignified, strong and intelligent. On the other hand, the Republicans regard the donkey as stubborn, silly and ridiculous -- but the Democrats claim it is humble, homely, smart, courageous and loveable.

