

# Wiley Helps Persuade Supreme Court to Uphold FCC Media Ownership Rules

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Washington, DC – On behalf of client Nexstar Broadcasting Inc., Wiley helped persuade the U.S. Supreme Court that the Federal Communications Commission (FCC) reasonably decided to relax limits on ownership of local broadcast outlets, easing restrictions the media industry believed had long been outdated.

In a unanimous April 1 ruling in two combined cases – *FCC v. Prometheus Radio Project, et al.* and *National Association of Broadcasters v. Prometheus Radio Project, et al.* – the Supreme Court reversed a decision of the U.S. Court of Appeals for the Third Circuit that had vacated deregulatory changes the FCC adopted in 2017 for its media ownership rules.

The Supreme Court decision, authored by Justice Kavanaugh, held that the FCC reasonably determined to eliminate the newspaper/broadcast cross-ownership rule and the radio/television cross-ownership rule and to relax the local television ownership rule. Accordingly, the Court reversed the Third Circuit’s decision.

Wiley, representing Nexstar as petitioner in the combined Supreme Court cases, argued in a January 8 brief that the respondents failed to justify the Third Circuit’s elevation of policy concern over the competition analysis that Congress specifically has required. Wiley partner Eve Klindera Reed and associate Jeremy J. Broggi authored the brief on behalf of Nexstar, with assistance from associate Spencer Brooks and law clerk Tawanna Lee.

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