

realistic potential to affect the programming decisions of licensees or other core operating functions.”⁷ The FCC, while granting a waiver of the national spot sales rule to Univision and Telemundo, maintained the rule for other, non-Spanish language television networks. The FCC reasoned that without the rule networks would be able to exert undue influence over affiliate programming decisions. The right to sell national spot advertising gives Univision significant rights to influence Entravision, including, as the Commission has stated, the power to influence programming decisions. At a minimum, the FCC should forbid Univision from making national spot sales on behalf of Entravision, if the proposed merger is approved.

Converting Univision's voting shares in Entravision into non-voting shares will not fundamentally change the existing relationship. Entravision has been and will continue to be dependent on Univision for its continued survival. Univision, through its control of national sales and its absolute right to grant or deny new network affiliations, will be able to control financial decisions, programming and personnel at Entravision owned radio stations, thus ensuring that Entravision's radio stations will not compete with HBC's radio stations. Such influence will diminish diversity and stifle competition, two key aspects of the FCC local ownership rules.

Sincerely,
Arthur, Belendiuk
Counsel to National Hispanic Policy
Institute, Inc.

cc: Chairman Michael K. Powell,
Commissioner Kathleen Q. Abemathy,

Commissioner Michael J. Copps,
Commissioner Kevin J. Martin,
Commissioner Jonathan S. Adelstein,
David Brown, Esquire (Media Bureau,
FCC), Barbara Kreisman, Esquire (Video
Division, Media Bureau, FCC), Lawrence
N. Cohn, Esquire, (Counsel for The
Shareholders of Hispanic Broadcasting
Corp.), Scott R. Flick, Esquire (Counsel for
Univision Communications, Inc.), Harry F.
Cole, Esquire (Counsel to Elgin FM Limited
Partnership)

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DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under section 221(a) of the Trade Act of 1974 (“the Act”) and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for

adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than December 8, 2003.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than December 8, 2003.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 17th day of November 2003.

Timothy Sullivan,

Director, Division of Trade Adjustment Assistance.

APPENDIX

[Petitions instituted between 11/03/2003 and 11/07/2003]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
53,405	Authentic Fitness Corp. (Wkrs)	Los Angeles, CA	11/03/2003	10/16/2003
53,406	F/V Patricia Diann (Comp)	Cordova, AK	11/03/2003	10/13/2003
53,407	Alice Manufacturing (Wkrs)	Easley, SC	11/03/2003	10/28/2003
53,408	Elastic Corp. of America (Comp)	Woolwine, VA	11/03/2003	10/21/2003
53,409	Delta International Machinery (Comp)	Tupelo, MS	11/03/2003	10/11/2003
53,410	Nidec America Corporation (MA)	Canton, MA	11/03/2003	10/28/2003
53,411	Cognati Industries (GMP)	Bluffton, IN	11/03/2003	10/08/2003
53,412	Fort Payne Socks, Inc. (Comp)	Fort Payne, AL	11/03/2003	10/29/2003
53,413	MTD Southwest, Inc. (Comp)	Chandler, AZ	11/03/2003	10/31/2003
53,414	DuPont Photomasks, Inc. (Wkrs)	Danbury, CT	11/03/2003	10/31/2003
53,415	Elementis Chromium LP (Wkrs)	Corpus Christi, TX	11/03/2003	05/02/2003
53,416	Wolverine Pattern and Machine (IAM)	Saginaw, MI	11/03/2003	10/31/2003
53,417	National Pattern, Inc. (IAM)	Saginaw, MI	11/03/2003	10/31/2003
53,418	Springfield LLC (Comp)	Gaffney, SC	11/03/2003	10/27/2003
53,419	Encee Inc. (Wkrs)	Eden, NC	11/03/2003	10/24/2003
53,420	Surgical Specialties Corp. (Wkrs)	Ada, OK	11/04/2003	11/04/2003
53,421	Seamless Textiles (PR)	Humacao, PR	11/04/2003	10/10/2003
53,422	United Airlines (Wkrs)	Elk Grove, IL	11/04/2003	11/03/2003
53,423	Drexel Heritage Furniture Industries (Wkrs)	Hildebran, NC	11/04/2003	10/24/2003
53,424	Clore Automotive (MN)	Eden Prairie, MN	11/04/2003	10/30/2003
53,425	Trane and American Standards Co's (MN)	White Bear Lake, MN	11/04/2003	10/30/2003
53,426	Neutronics, Inc. (Comp)	Phoenix, AZ	11/04/2003	10/27/2003
53,427	Puzzle-Craft (MN)	Wabasso, MN	11/04/2003	10/28/2003
53,428	Hawkeye Group (Wkrs)	Mediapolis, IA	11/04/2003	10/23/2003
53,429	R. Leon Williams Lumber Co. (ME)	Clifton, ME	11/04/2003	10/23/2003

⁷ Univision, June 25, 2003 letter citing the Attribution Order at p. 12560, (emphasis added).