



# Department of Justice

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**ATTORNEY GENERAL APPROVES DENVER ROCKY MOUNTAIN NEWS AND  
THE DENVER POST JOINT NEWSPAPER OPERATING ARRANGEMENT**

***Denver Rocky Mountain News Found to be a “Failing Newspaper”***

WASHINGTON, D.C. – Attorney General Janet Reno today approved the joint operating arrangement proposed by the two daily newspapers in Denver – the *Rocky Mountain News* and *The Denver Post*. Accepting the recommendation of the Antitrust Division, the Attorney General concluded that the *Denver Rocky Mountain News* was in probable danger of financial failure, with persistent operating losses, and that the proposed joint operating arrangement ensured the continued editorial and reportorial independence of both newspapers.

Under the Newspaper Preservation Act joint operating arrangements receive a limited antitrust exemption if the Attorney General determines that one of the newspapers in question is a “failing newspaper,” and if the proposed arrangement furthers the purpose of the Act, which is the preservation of “editorially and reportorially independent and competitive” newspapers.

The newspapers’ application was filed on May 12, 2000 by The E.W. Scripps Company, whose subsidiary, the Denver Publishing Company, publishes the *Denver Rocky Mountain News*, and the MediaNews Group Inc., whose subsidiary, the Denver Post Corporation, publishes *The*

*Denver Post.*

The arrangement between the two newspapers provides that the printing and commercial operations of both newspapers would be handled by a third entity, the "Agency," which will be owned by the parties in equal shares. The proposed joint operating arrangement provides for the complete independence of the news and editorial departments of the two newspapers.

Before granting consent, the Attorney General must find that one of the publications is a failing newspaper and that approval of the arrangement would effectuate the policy and purpose of the Act. The Act requires that the Antitrust Division review the application and submit a report to the Attorney General on their findings.

On September 8, 2000, the Antitrust Division recommended approving, without a hearing, the application of the newspaper joint operating arrangement made by the owners of both newspapers. In its report to the Attorney General, the Antitrust Division concluded that the *Denver Rocky Mountain News* was in probable danger of financial failure and that the proposed joint operating arrangement adhered to the guidelines stated under the Newspaper Preservation Act. The Antitrust Division's report analyzed circulation and advertising trends in the Denver market, as well as the business decisions made by both applicants.

Under the Department's regulations, the arrangement will become effective on January 22, 2001.

*The Denver Post* is the seventh largest newspaper company in the United States. Newspaper companies under the management of MediaNews include Affiliated Newspapers Investments Inc., a holding company that owns 60 percent of Denver Newspapers Inc. Denver Newspapers owns four daily and seven weekly newspapers published in Colorado, including *The Post*.

The Cincinnati-based E.W. Scripps Company Inc., which owns the *Denver Mountain Rocky News*, is the eighth largest newspaper publisher in the U.S.. Its largest newspapers operate in Colorado (the *News* in Denver and *The Daily Camera* in Boulder), Tennessee, Texas and California.

In accordance with the Newspaper Preservation Act Regulations, at 28 CFR Part 48, copies of the arrangement and other materials filed by the newspapers are available for public inspection in the main offices of the newspapers involved. In addition, these materials plus any filed comments are available for public inspection Monday through Friday, from 8:30 a.m. to 5:00 p.m., in the Department of Justice, National Place Building, 1331 Pennsylvania Avenue, NW, Suite 1220, Washington, D.C. 20530.

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