

Concurring Statement of
FCC Commissioner James H. Quello

In re: Roy H. Park Broadcasting of Virginia, Inc. for
renewal of licenses.

I again concur with reluctance to Commission approval of an agreement providing reimbursement for legal services to a tax exempt organization.

The Commission in this action relies on its Policy Statement in Licensee-Citizen Groups Agreement, 70 FCC 2d 1672 (1979), in which I concurred with a statement expressing serious concerns with the policy adopted. While I incorporate by reference that statement in its entirety with respect to the instant situation, I again emphasize my concern with Commission sanction of private agreements and reimbursements generally, and particularly with respect to public interest law firms, which enjoy tax exempt status. The instant approval of the reimbursement agreement for the benefit of Citizens Communications Center serves to further bulwark the likelihood of continued awards of fees which may result in IRS review of this organization's "charitable" status. It is for this reason that I again reluctantly concur in the approval of reimbursement of expenses for the benefit of Citizens Communications Center.