

**Separate Statement of
Commissioner James H. Quello**

**Notice of Apparent Liability to KLAS, Inc.
(Letter Adopted by the Commission)**

I concur with the Commission's decision to issue a Notice of Apparent Liability because of the apparent violation by KLAS-TV of 18 U.S.C. § 1304 and Section 73.1211 of our rules. However, the \$12,500 fine is based on the Commission's *Policy Statement, Standards for Assessing Forfeitures*, 6 FCC Rcd. 4695 (1991), *recon. pending*. As I will make clear in that proceeding, I believe the Commission should reconsider our policy statement on forfeitures. I also agree with Commissioner Duggan, that the amount of a base fine should not be doubled — as it was in this case — unless aggravating circumstances are quite clear.

Thus, while I concur in the result in this matter, I think it highlights more significant policy questions that the Commission should address in the appropriate proceeding.

