

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

**Southern California Broadcasting Company
Licensee, Radio Station KIEV(AM)
Glendale, California**

I concur with the Commission's decision to deny the petition for reconsideration in this case. I write separately, however, to express my concern about the way the Commission administers its policy regarding forfeitures. This case highlights the difficulty faced by any licensee that seeks mitigation of a Commission-imposed forfeiture. Although the \$10,000 fine in this case was not assessed under the Commission's *Policy Statement, Standards for Assessing Forfeitures*, 6 FCC Rcd. 4695 (1991), *recon. pending*, it carries implications for the flexibility we claim to possess in assessing penalties pursuant to that policy. Consequently, I believe that this case shows why the Commission should reconsider the policy statement on forfeitures.