

CONCURRING STATEMENT OF
COMMISSIONER ANNE P. JONES
in which
COMMISSIONER ABBOTT WASHBURN JOINS

IN RE: Petitions for Stay of January 1, 1980, Divestiture
Requirement

I concur in this action by the Commission to give these petitioners an additional six months beyond the present January 1, 1980, deadline for disposing of one of their media properties to effect compliance with the rules on certain newspaper-broadcast combinations adopted by the Commission in 1975. (Second Report and Order in Docket No. 18110, 50 F.C.C. 2d 1046 (1975)) Like Commissioner Lee, I believe that since these petitioners have done nothing wrong they should not be forced into a forfeiture by heavy-handed enforcement of those rules. I note in this regard that in adopting those rules the Commission expressly disclaimed any intent that they cause any economic forfeiture by licensees affected by them.

I also take this opportunity to express my substantial doubt as to the soundness of the Commission's insistence on applying the 1975 rules in these cases. Regardless of any validity the rules may appear to have in the abstract, it is not clear to me that requiring divestiture under them in these cases is either fair or reasonable.