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August 28, 1992

CONCURRING STATEMENT OF
COMMISSIONER ERVIN S. DUGGAN
AND
COMMISSIONER JAMES S. QUELLO

In the Matter of Liability of Benito Rish, Licensee of Radio
Station WREM(AM), Monticello, Maine, for a Forfeiture

We will not dispute this decision because we do not want to waver in enforcing the Commission's prohibition on premature transfers of control. However, the fact that WREM is apparently under contract to be sold for \$2,000 ought to tell us something about the licensee's ability to pay a \$10,000 forfeiture. We fail to see how assessing a fine that is five times the station's value tempers justice with mercy--- or with realism, for that matter.¹

¹ See Concurring Statement of Commissioner Ervin S. Duggan (released August 14, 1992); Dissenting Statement of Commissioner James H. Quello, In the Matter of Standards for Assessing Forfeitures, FCC 92-212 (released June 4, 1992).