

CONCURRING STATEMENT OF
FCC COMMISSIONER JAMES H. QUELLO

In re: Complaint by the Labor Party against
television station WNET, Newark, N. J.

I am concurring in the result of this Memorandum Opinion and Order because I am convinced that I have no alternative under the statute. Section 312(a)(7)* appears rather explicit in requiring all licensees to provide "reasonable amounts of time for the use of a broadcasting station by a legally qualified candidate for Federal elective office on behalf of his candidacy."

While in this case I might be able to find that zero time was a "reasonable amount", it's clear that Congress expected something more than that. We haven't yet reached the question of what is reasonable, in this case, but I suspect that we shall in due course.

I find this access requirement an unwarranted intrusion by government in any case but particularly so in the case of public broadcasting. It seems to me that public broadcasting should not be required to enter the political arena. Unfortunately, the statute fails to make any distinction.

Therefore, I concur.

*/ 47 U. S. C. 312(a)(7)