

**Separate Statement of Commissioner James H. Quello,
dissenting to the overall result, and concurring in part.**

**In the Matter of Evaluation of the Syndication and Financial Interest Rules, MM
Docket No. 90-162.**

It is now going on two years since the Commission was asked to reevaluate the financial interest and syndication rules. Quite frankly, the stated rationale for retaining the rules has not improved with time or repetition.

I previously have stated my views with respect to the wisdom of continuing finsyn rules in today's multichannel media environment, so I will not go into that here. Suffice it to say that the *Memorandum Report and Order* adopted today does nothing to address my concerns.

I can support the item, however, to the extent — and only to the extent — that it rejects the numerous requests to adopt an even more burdensome set of rules. The purported "clarifications" adopted in this *Order* do little to clarify how the rules will operate in the real world. But they do make clear that this complex new regulatory scheme is difficult to apply, extremely one-sided and, ultimately, anticompetitive. I had hoped that the majority would use this opportunity to truly reconsider the *Report and Order*, rather than leave that task to the Court of Appeals.

I will provide a more detailed statement of my views when the text of the *Memorandum Report and Order* is released.