

September 23, 1996

**STATEMENT OF
COMMISSIONER JAMES H. QUELLO
CONCURRING IN PART**

953a

Re: Applications of Shareholders of Citicasters, Inc. and Jacor Communications, Inc.; File Nos. BTC, BTCH, BTCCT -- 960222IA through 960222IV.

In this Memorandum Opinion and Order, the Commission approves the transfer of control of Citicasters, Inc. to Jacor Communications, Inc (Jacor), subject to certain conditions. I concur to that portion of our decision that conditions our approval on the condition that Jacor obtain prior Commission approval of any Joint Sales Agreement it may enter into in the Cincinnati market. To the extent that the competitive impact of this transaction has been carefully reviewed by both the Commission and the Department of Justice, and Jacor is specifically required to notify DOJ of any joint marketing agreement in Cincinnati, I question why this type of "me too" regulation by the Commission is necessary. I nonetheless support the Commission decision to approve the transfer of control of these stations in order to facilitate its potential benefits to the public, particularly in the Tampa-St. Petersburg-Sarasota and Cincinnati markets.

I do view this decision with certain reservations regarding the potential impact of concentration of ownership on local broadcasting markets, especially as it may limit the opportunities for broadcasters' civic involvement in their respective communities. I am aware, however, that many of the questions regarding the competitive impact of greater concentration of ownership will become the subject of future rulemakings pursuant to the Telecommunications Act of 1996, where the Commission will review its regulation of radio transactions in markets with a substantial number of radio voices.¹ At that time, I believe it will be useful to consider -- among many other related issues -- the relevant markets for which the Commission will analyze levels of concentration in the future. To the extent that media outlets are increasing rapidly and becoming more closely related to other communications services, we must carefully weigh the longer term impact of finding markets to be "concentrated" based solely on radio advertising, as opposed to all advertising sources in a community. While this particular decision by the Commission does not explicitly make such distinctions, I believe it is important for the Commission to look more comprehensively at the manner in which we will determine concentration levels resulting from future transactions among broadcasters.

¹ See Sections 202(b) and 202(h) of the Telecommunications Act of 1996.