

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	File No. EB-07-IH-9488
)	
CBS RADIO EAST INC.)	NAL Account No. 200932080026
)	Facility ID No. 25443
Licensee of Station KDKA(AM),)	FRN No. 0009225210
Pittsburgh, Pennsylvania)	

ORDER

Adopted: April 30, 2010

Released: April 30, 2010

By the Chief, Enforcement Bureau:

1. In this Order, we adopt the attached Consent Decree entered into between the Enforcement Bureau (“Bureau”) and CBS Radio East Inc. (“CBS”). The Consent Decree resolves and terminates the Bureau’s investigation and cancels a Notice of Apparent Liability for Forfeiture (“NAL”)¹ finding an apparent violation of Section 73.1216 of the Commission’s rules² in connection with a broadcast over Station KDKA(AM), Pittsburgh, Pennsylvania (the “Station”).

2. The Bureau and CBS have negotiated the terms of the Consent Decree that resolve this matter. A copy of the Consent Decree is attached hereto and incorporated by reference.

3. After reviewing the terms of the Consent Decree and evaluating the facts before us, we find that the public interest would be served by adopting the Consent Decree, terminating the investigation, and canceling the NAL.

4. In the absence of material new evidence relating to this matter, we conclude that our investigation raises no substantial or material questions of fact as to whether CBS possesses the basic qualifications, including those related to character, to hold or obtain any Commission license or authorization.

5. Accordingly, **IT IS ORDERED** that, pursuant to Sections 4(i) and 503(b) of the Communications Act of 1934, as amended,³ and Sections 0.111 and 0.311 of the Commission’s Rules,⁴ the Consent Decree attached to this Order **IS ADOPTED**.

6. **IT IS FURTHER ORDERED** that the above-referenced investigation **IS TERMINATED** and the Notice of Apparent Liability for Forfeiture **IS CANCELLED**.

7. **IT IS FURTHER ORDERED** that the third-party complaint against CBS before the Bureau related to the above-captioned investigation as of the date of this Consent Decree **IS DISMISSED WITH PREJUDICE**.

¹ See *CBS Radio East Inc. (Station KDKA(AM))*, Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 1293 (Investigations & Hearings Div., Enf. Bur. 2009).

² See 47 C.F.R. § 73.1216.

³ See 47 U.S.C. § 154(i), 503(b).

⁴ See 47 C.F.R. §§ 0.111, 0.311.

8. **IT IS FURTHER ORDERED** that a copy of this Order and Consent Decree shall be sent by first class certified mail, return receipt requested, to Anne Lucey, Esq., CBS Radio East Inc., 2175 K Street, N.W., Suite 350, Washington, DC 20037-1843, and to Steven A. Lerman, Esq. and Dennis P. Corbett, Esq., Lerman Senter PLLC, 2000 K Street, N.W., Suite 600, Washington, DC 20006-1809.

FEDERAL COMMUNICATIONS COMMISSION

P. Michele Ellison
Chief, Enforcement Bureau