

Federal Communications Commission  
Washington, D.C. 20554

October 21, 1998

In reply refer to:  
1800C1-GU  
98060041  
98070022

Released: October 22, 1998

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Lesnick Communications, Inc.  
Licensee, Radio Station WTWR-FM  
7 South Monroe Street  
Monroe, MI 41861

Dear Licensee:

This letter constitutes a NOTICE OF APPARENT LIABILITY FOR A FORFEITURE pursuant to Section 503(b) of the Communications Act of 1934, as amended, under authority delegated to the Chief of the Mass Media Bureau by Section 0.283 of the Commission's Rules.

**Background.** On February 20, 1998, the Commission received a complaint from Stephen Martin and Heather Beauman of Temperance, Michigan. This complaint involves an event produced by Barbara Baumgartner and presented by Station WTWR-FM, Monroe, Michigan. Specifically, the complainants allege that they each paid \$5.00 as admission to an October 26, 1997, bridal show called "Bride Ideas: 1997 Bridal Exposition and Fashion Show" and entered a drawing for a \$6000 bridal prize package giveaway. They indicate that only future brides and grooms were allowed to register for the drawing and that entrants had to be present to win. Mr. Martin's name was selected as the winner of the grand prize. The complainants state that the value of the prize package they received was far less than the \$6000 that was promised and that, after repeated calls to the station, they still had not been awarded all the prizes that were promised. The complainants also allege that, in their conversation with Assistant Station Manager Herb Coty, they were advised that the licensee claimed not to be responsible for the prizes awarded in the contest.

In our April 21, 1998, letter we stated to you that the complaint posed possible violations of two Commission rules - Section 73.1216 (licensee-conducted contests) and Section 73.1211 (broadcast of lottery information).

In your May 29, 1998, response, you state that you do not believe any lottery was involved because there was no consideration required to participate in the prize drawing, there were no other eligibility requirements, and there was no charge for obtaining entry blanks or for entering the drawing. You claim that there was a \$5.00 admission fee to the hall, which all persons coming to the exposition paid when entering the hall, whether or not they registered for the drawing. You also state that the above-mentioned