

**SEPARATE STATEMENT OF KEVIN J. MARTIN
APPROVING IN PART, CONCURRING IN PART**

Re: Entercom Sacramento License, LLC, Licensee of Station KRXQ(FM), Sacramento CA, Notice of Apparent Liability for Forfeiture (September 22, 2004)

Consistent with my past statements, I believe we should be fining broadcasters on a “per utterance” basis.¹ In this instance, we could have found several violations within the broadcasts at issue and therefore could have assessed a larger fine.

¹ See, e.g., Separate Statement of Commissioner Martin, *Infinity Broadcasting Operations, Inc., Licensee of Station WKRK-FM, Detroit, Michigan*, Notice of Apparent Liability, 18 FCC Rcd. 6915, 6939 (2003) (urging the Commission to fine violators “per utterance”).