

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

In the Matter of)	
)	
AMFM RADIO LICENSES, L.L.C.)	File No. EB-02-IH-0737
)	NAL/Acct. No. 200432080019
Licensee of Station WIHT(FM),)	FRN No. 0001656586
Washington, D.C.)	Facility ID No. 25080

ORDER

Adopted: April 13, 2004

Released: June 10, 2004

By the Commission: Commissioner Copps issuing a statement.

1. In this *Order*, we grant reconsideration on our own motion, pursuant to section 1.108 of the Commission's rules,¹ of our *Notice of Apparent Liability for Forfeiture* in this proceeding ("*NAL*"), released today.² Shortly after adoption of the *NAL*, the staff discovered and reported to us that, because of a clerical error, the statute of limitations expired in this case on October 30, 2003.³ Accordingly, we cancel the *NAL*.

2. Accordingly, pursuant to section 503(b) of the Act⁴ and section 1.108 of the Commission's rules,⁵ the *NAL* is hereby cancelled.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
 Secretary

¹ 47 C.F.R. § 1.108 provides that the Commission may, on its own motion, set aside any action made or taken within 30 days from the date of public notice of such action, as that date is defined in section 1.4 of the Commission's rules.

² See *AMFM Radio Licenses, L.L.C. (WIHT(FM))*, Notice of Apparent Liability for Forfeiture, FCC 04-35 ___ FCC Rcd ___ (rel. June 9, 2004).

³ The *NAL* was issued outside of the statute of limitations specified in section 503(b)(6) of the Communications Act of 1934, as amended (the "Act"). See 47 U.S.C. § 503(b)(6).

⁴ 47 U.S.C. § 503(b).

⁵ 47 C.F.R. § 1.108.

**STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: AMFM Radio Licenses, L.L.C., Licensee Station WIHT(FM), Washington, D.C.

In this case, the Commission adopted a Notice of Apparent Liability against Clear Channel for violating the statutory prohibition against broadcasting indecent material. The Commission subsequently learned that the statutory deadline had passed last fall when the station's license was renewed. This case highlights the need to address complaints filed with the Commission expeditiously.

In addition, I have been calling for the Commission to establish an effective license renewal process under which the Commission would once again actually consider the manner in which a station has served the public interest. One aspect of that consideration should include complaints filed by the public. It is unfortunate that in this instance a license was renewed while a pending complaint remained unaddressed. Going forward, the Commission should not only ensure that all complaints have been addressed before a license is renewed, but we should also conduct a more thorough examination of how stations are meeting their public interest responsibilities over the term of their licenses.