

**CONCURRING STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

Re: *Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Chillicothe and Ashville, Ohio), MM Docket No. 99-322.*

I concur in this item, and I continue to believe that the Commission needs to re-examine our licensing and allotment process, especially our application of the *Tuck* factors. I share the concern that our *Tuck* analysis does not provide any means of ensuring that the proposed station will be a meaningful local outlet and not just an additional service to the urbanized area. There is merit to the Joint Petitioners' argument that the Commission has "abandoned" the requirement that a licensee provide local service to its community of license.¹

As I have said before, the Commission is supposed to keep the allotment/re-allotment "parlor game" honest, particularly because we know interested parties have significant incentives to relocate radio stations from relatively underserved rural areas to suburban communities that are closer to well-served urban markets.

Nevertheless, I am pleased the Commission is re-examining our licensing and allotment process to ensure that we are meeting our statutory obligation to distribute radio service throughout the United States in a fair, efficient and equitable manner.

¹ See *FCC Report on Broadcast Localism and Notice of Proposed Rule Making* (rel. January 24, 2008) (finding that "modification of certain of our rules, policies and practices may be necessary to address the deficiencies of many broadcasters in meeting their obligation to serve their local communities").