

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

Re: *Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Vinton, Louisiana, Crystal Beach, Lumberton and Winnie, Texas), MM Docket No. 02-212.*

I concur in this item, because the reallocation proposal we adopt today will provide new FM radio service to more than a quarter of a million people. So without question, that is a substantial public interest benefit.

However, I continue to believe that the Commission needs to re-examine our entire licensing and allotment process, especially our application of the *Tuck* factors. While our procedures and criteria may not be “impermissibly subjective,” as the petitioners in this case argue, there is some validity to the contention 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.

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 a significant incentive to relocate radio stations from relatively underserved rural areas to suburban communities that are closer to well-served urban markets.

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