

**STATEMENT OF  
COMMISSIONER JONATHAN S. ADELSTEIN  
APPROVE IN PART, CONCUR IN PART**

*Re: In the Matter of Clear Channel Communications, Inc. and Thomas H. Lee, et al. for Consent to Transfer of Control of Ackerley Broadcasting Operations, LLC, et al.; and Clear Channel Communications, Inc. and Aloha Station Trust, LLC for Consent to Assignment of Licenses of Jacor Broadcasting Corp. et al.*

Approval of this transaction will result in less consolidation in the radio industry. While I support this *Order* generally, I concur in part to highlight my concern regarding alleged anticompetitive practices with respect to advertising in the radio industry. I agree with the *Order*'s conclusion that, in this case, Mt. Wilson has failed to establish a *prima facie* case that Clear Channel has engaged in specific anticompetitive sales practices. I am not convinced, though, that the Commission's inquiry should stop there.

As I have traveled throughout the country, small and minority broadcasters have complained about the dominance of major radio station groups and the use of their size and scope to increase their share of local advertising revenue. As the Commission's own examinations of the radio industry have repeated shown, a very limited number of stations command the lion share of advertising dollars in local markets across the country. Based on the Commission's 2003 and 2007 analyses of the radio industry, the largest station in each radio market has, on average, 46 percent of the market's total radio advertising revenue. The two largest stations in each market command 74 percent of the market's radio advertising revenue. These figures are troubling, especially in light of the fact that radio advertising rates have nearly doubled since 1996.

The claims alleged by Mt. Wilson, coupled with the state of the industry, raise broader issues regarding the health of the radio industry as whole, and the Commission should show greater concern.