



NEWS

Federal Communications Commission
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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE
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FCC PROPOSES STATUTORY MAXIMUM FORFEITURE OF \$55,000 AGAINST CAPSTAR, A SUBSIDIARY OF CLEAR CHANNEL, FOR APPARENT VIOLATIONS OF INDECENCY RULE

Washington, D.C.- The Federal Communications Commission today issued a Notice of Apparent Liability for Forfeiture against Capstar TX Limited Partnership for broadcast of indecent material over Stations WAVW(FM), Stuart, Florida, and WCZR(FM), Vero Beach, Florida.

Specifically, the broadcasts contained a dialogue between the hosts and a man and a woman while they were engaging in actual or simulated sexual intercourse.

The Commission proposed the maximum forfeiture permitted by law of \$27,500 for each of the two broadcasts, for a total forfeiture amount of \$55,000. It proposed the maximum statutory forfeiture amount due to the history of indecent broadcasts by other licensees controlled by Clear Channel Communications, Inc., Capstar's parent corporation.

Action by the Commission on February 20, 2004, by Notice of Apparent Liability FCC 04-36. Chairman Powell; Commissioner Abernathy; Commissioner Martin issuing a statement; Commissioner Adelstein issuing a statement. Commissioner Copps dissenting and issuing a statement.

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