

**STATEMENT OF
COMMISSIONERS MICHAEL J. COPPS AND JONATHAN S. ADELSTEIN,
CONCURRING**

*Re: San Francisco Unified School District for Renewal of License for Station
KALW(FM), San Francisco, California*

We concur in the decision to designate KALW(FM)'s license renewal application for a hearing. There are factual questions at issue here that warrant further review. It is important for the Commission to ensure that licensees are meeting their obligation to serve their local communities and provide the public with timely and complete information about how they are meeting that obligation. It is also important for the Commission to take its public interest obligations seriously and establish an effective license renewal process.

That being said, we also have concerns about this decision. In recent months, the Commission has gone out of its way to avoid sending cases to hearings even when there were legitimate allegations of wrongdoing. In KALW(FM)'s case, there are questions as to whether the public file was complete and whether the station misrepresented the situation to the Commission. As just one example, in another recent case, there was also an incomplete public file as well as allegations of misrepresentation and material omissions in filings. In addition, in that case, there were also issues related to unauthorized transfer of control. Yet, in that case, the Commission, over our dissent, determined that it would not designate the case for hearing. When the Commission finally decides to make an example of a station and designate its case for a hearing, it chooses a small noncommercial broadcast station run by the local school district. We are troubled by the message we send when we send small, independent stations to hearings but give a pass to stations owned by larger media companies for troubling allegations.