

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

*Re: Infinity Broadcasting Operations, Inc., Licensee of Station WKRK-FM, Detroit, Michigan,
Forfeiture Order*

I strongly support the imposition of the statutory maximum forfeiture amount against Infinity Broadcasting Operations, Inc., licensee of station WKRK-FM, Detroit, Michigan, for the willful broadcast of grossly indecent language during the Deminski and Doyle show. The egregious nature of the material broadcast clearly warrants the statutory maximum fine.

In addition, as I stated in April, the Commission has now given fair notice to broadcasters that it can and will avail itself of a range of enforcement sanctions when broadcasters violate our indecency rules. These sanctions include the potential initiation of revocation proceedings for serious, repeated violations of our rules. Broadcasters are also on notice that the Commission may find them liable for multiple violations that occur in a single program where statements can be viewed as separate indecent utterances. This approach could result in substantially higher forfeiture amounts in the future.

I am disappointed that the licensee in this case continues to challenge this sanction rather than accept responsibility for such an extreme violation of our rules.