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From: jdman <jdman@magpage.com>  
To: The FCC <fccinfo@fcc.gov>  
Date: Fri, Apr 2, 1999 6:17 PM  
Subject: (no subject)

Federal Communications Commission  
Office of Secretary



Preface:

The Anti-Trust laws are anything but short and simple. The blatant ambiguities of these laws make them quite easy to enforce, and the DOJ uses this power to the fullest extent. In light of the ongoing Microsoft case, it should be apparent to even the simple minded that the anti-trust laws, originally created to promote competition, are actually restricting fair-market competition. A monopoly can only be created by regulatory interference. Telecommunication Act 1996 SEC. 202. BROADCAST OWNERSHIP.

mo-nop-o-ly \* exclusive control of a commodity or service in a given market, or control that makes possible the fixing of prices and the virtual elimination of free competition.

The Reagan and Bush administrations were ideologically hostile to antitrust and the Clinton administration--being politically weak and eager for 'business' support--is rapidly compiling a pro-monopoly (non-enforcement) record which rivals that of the McKinley administration (1897-1901). Economics has been hijacked by politics, at a vast cost to the public.

To: Dear Honorable Senators and Congressman ,of The great Republic of The United States:

I Exercise My Freedom Of Expression, and Free Speech, Threw My Bill Of Rights and My Constitution of The Republic Of The United States:

I File A Complaint Aganist :  
Ed Fritz of The NAB:  
Radio Conglomerates:  
Bruce Reese - Chairman President/CEO Bonneville International Corporation Salt Lake City, UT  
Raymond Benedict Dir., Spectrum Engr & Regulatory Compliance CBS Washington, DC Michael Carter President/General Manager Carter Broadcast Group, Inc. Kansas City, MO Ed Christian President/CEO Saga Communications Grosse Pointe Fm, MI Diana Coon Vice President/General Manager WMAN/WYHT/WSWR

No. of Copies rec'd 2  
List A B C D E

Mansfield, OH Richard Ferguson Vice President/CEO  
 O Cox Radio, Inc.Bridgeport, CT Joe Field  
 Chairman/CEO Entercom Broadcast Group Bala Cynwyd,  
 PA  
 Bert Goldman VP-Engineering, Radio Division ABC,  
 Inc.Dallas, TX 75240 William L. McElveen Executive  
 Vice President  
 Bloomington Broadcasting Corp.Columbia, SC Randy  
 Michaels Chief Executive OfficerJacor  
 Communications, Inc.  
 Covington, KY Randy Odeneal General Partner  
 Sconnix Broadcasting Company Vienna, VA J. William  
 Poole General Manager WFLS-FM/WYSK-AM/FM  
 Fredericksburg,McHenry Tichenor President/CEO  
 Heftel Broadcasting Corp.Dallas, TX  
 Bayard Walters President The Cromwell Group  
 Nashville, TN Richard Weening Executive Chairman  
 Cumulus Media, Inc.  
 Milwaukee, WI Lawrence Wilson President/CEO  
 Citadel Communications Corporation Las Vegas, NV :

Co-Conspirators as Follows:

Rep.Billy Tauzin  
 Rep.Greg Walden  
 Chief Legal Counsel Of The NAB Jeff Baumann:

To: US The Department Of Justice

Anti-Trust Division  
 JOEL I. KLEIN  
 950 Pennsylvania Avenue,NW  
 Washington,DC 20530-0001

US The Department Of Justice Civil  
 Rights Division:  
 BILL LANN LEE  
 950 Pennsylvania Avenue,NW  
 Washington,DC 20530-0001

Copy:  
 Federal Communications Commission:

Nadine Strossen  
 New York Law School  
 57 Worth Street, New York, NY 10013-2960  
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 nstrosse@counsel.com

I Charge the NAB As Follows:

Re: Civil Rights Lawsuit Pending The NAB's  
 Hostility In The Passing of LPFM Broadcast Service

As Put Forth By The FCC in Docket MM 99-25 :

Sec. 1983. Civil action for deprivation of rights

US Code : Title 15, Section 631

Sec. 631. Declaration of policy (a) Aid, counsel, assistance, etc., to small business concerns The essence of the American economic system of private enterprise is free competition.

US Code : Title 15, Section 631a

Sherman Antitrust Act in 1890

Lawsuit For Inflicting Punishment Threw Technical Differences and,Denying Mrs.Olga D'Alessandro

Legal Title to NAB Trust Fund:

Impedeing My Right To Free

Enterprise, Free Speech and Obstruction,Of My Constitutional Rights,As Proposed By The FCC in The Enactment Of NPRM Docket MM-99-25 For LOW POWER Community Radio Service.

Suit Is Based on the Judgments rendered in the Sanders vs. The FCC 1940:This Judgment Sets Justification For My Suit:

The Court Granted a FCC License On Three Main Issues:

A. Free Enterprise,The Basis Of Our Economy:

B. No Exclusive Control of a Commodity or service in a given Market.No Monopoly or Monopolys:

Sec. 2. Monopolizing trade a felony; penalty

Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding \$10,000,000 if a corporation, or, if any other person, \$350,000, or by imprisonment not exceeding three years, or by both said punishments, in the discretion of the court. Ed Fritz and the NAB Have Monopolized:

C. To Serve The Needs Of Your and or A Community,The Publics Interest First:

The Sherman Anti-Trust Act  
of 1890 100 Years +

SECTION 1 Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is declared to be illegal. Every person who shall make any contract or engage in any combination or conspiracy hereby declared to be illegal shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding ten million dollars if a corporation, or, if any other person, three hundred and fifty thousand dollars, or by imprisonment not exceeding three years, or by both said punishments, in the discretion of the court.

SECTION 2 Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by fine not exceeding ten million dollars if a corporation, or, if any other person, three hundred and fifty thousand dollars or by imprisonment not exceeding three years, or by both said punishments, in the discretion of the court.

#### Civil

Liberties, Civil Rights, Equal Opportunity, and Discrimination

Sanders vs. FCC 1940 Case Judgment:  
Free Enterprise;  
No Monopolys  
Public Interest Community First:

Sanders vs. The FCC  
1940 Federal Court Judgment Voids The 1996  
Telecommunications Act:

SEC. 202. BROADCAST OWNERSHIP.  
(a) National Radio Station Ownership Rule Changes Required: The Commission shall modify section 73.3555 of its regulations (47 C.F.R. 73.3555) by eliminating any provisions limiting the number of AM or FM broadcast stations which may be owned or controlled by one entity nationally. This Section Is Void

X. State Anti-Trust Law State Of Delaware

Delaware's anti-trust statute supplements the substantial anti-trust provisions of federal law. The purpose of the Delaware statute is to promote the public benefits of a competitive economic environment based upon free enterprise. The State anti-trust law protects trade and commerce from unlawful restraints, price discrimination, price fixing and monopolies. It is not, however, intended to prohibit the existence of labor organizations and other associations instituted for the purpose of mutual help. In addition, the statute does not forbid any conduct or arrangement approved or required by a regulatory board of Delaware or the United States, or a non-profit corporation, trust or organization established for religious or charitable purposes (but only to the extent that the activity is religious or charitable in nature). The penalties for a violation of the Delaware anti-trust statute may include monetary civil penalties, equitable relief, or both. The Attorney General of Delaware may bring suit on behalf of all natural persons residing in the State for a violation or threatened violation of this statute.

Trusts ala. NAB Trust Fund and monopolies are concentrations of wealth in the hands of a few. Such conglomerations of economic resources are thought to be injurious to the public and individuals. This is because such trusts minimize, if not obliterate normal marketplace competition, and yield undesirable price controls. These, in turn, cause markets to stagnate and sap individual initiative.

The  
Communications Act of 1934  
The Act Was Intended For Community Service and its  
Community Members, It was not Intended for Economic  
Wealth, Which Ed Fritz and The NAB Have Made It  
Today

The basic landmark agreement between Radio and the people of the United States was established in the Communications Act of 1934 and has become the unifying thread of all telecommunications laws since then. The basic agreement was actually established in the years before.

This important law established basic philosophical principles:  
The airways are public property.  
Commercial broadcasters are licensed use the airways.

The main condition for use will be whether the broadcaster served "the public interest, convenience, and necessity."

The Communications Act's of 1927 and 1934 where Created for the American People, and The Communitys They Reside In:

They NAB With Ed Fritz and His Chief Counsel Baumann Have Inflicted The Following Damages Aganist the Public Airways The American Public Own:

A. Violations Of My Civil Rights, and Civil Liberties: And Bill Of Rights, And My Constitution:

1. To make Distinctions in Treatment:
2. To show Partiality:
3. To show Prejudice:
4. To Discriminate:
5. Dictatorship:
6. Ethnic Violations:
7. To Monopolize An Entire Market = Anti - Trust Violations Aganist Free Enterprise As Proposed By The FCC in Docket MM-99-25 LPFM Broadcast Community Service:

The Above Violations are imposed because The NAB, Has taken the Communications Act's Of 1927 & 1934, 1996 Which Where Established for the American People, All The People, not Just The Rich and Wealthy, Radio Conglomerates, The NAB, or Investment Firms. The Act's where created for all people to have an Opportunity, to Compete, on a JUST AND HONEST, PRINCIPAL FOUNDATION. The NAB has Taken the Communications Act's of 1927 & 1934, and 1996 used it with Total Disregard Aganist 99.9 % of the Peoples Democracy.

Dear Honorable, Senators, and Congressman: I as a Constituent, Request you to hold Hearings on the NAB for Violations of the Communications act's of 1927 & 1934, & 1996 in which they have Discriminated Aganist 99.9% of the American People

The Communications Act's stated explicitly, 3 LAWS: the NAB has Broken all 3 Laws, AS NOTED:

1. Stop Chaos: There's more Chaos now then ever when The FCC lets the NAB have power levels of 10, 25, 50, 100, 150, and 200 Hundred Thousand Watts

of Power,the purpose of the Communications Act's where for,when a American is granted a FCC Broadcast License,he is to Serve his Community's Needs And Concerns.,the Largest Urban City May require Power Levels of 6000 Watts No More,in other Words there Should be No Radio Station in the United States At this Present Moment with power Levels to Exceed 6000 Watts.the NAB,has broken the LAW for the RICH AND WEALTHY .

2.POWER LEVELS TO SERVE A COMMUNITY,with power levels of 10 thousand and up to 300 thousand Watts,they serve no body but the NAB,and keep Woman,Blacks,and Other Minoritys From Competing,in the Broadcast Industry,Thanks to shrinking technology prices, LPFM RADIO at 50 WATTS can generate an FM radio signal with as little as \$500 worth of equipment. But seeking a license from the Federal Communications Commission can require an investment of \$100,000 and or up to \$300,000

3.The FCC will Grant A FCC License Only When The Applicant,will Serve its Community,.this is the Biggest,Crime Aganist the American People and the Communications Act's of 1927 & 1934.They The FCC will not grant a License Below 100 Watts WHY?????????,there is no REASON Except the NAB Said SO

You As My Elected Offical Need To React To This Run Away Radio Conglomerate.You Need To,Reveal to the Public,the Crimes For The Last 64 Years: By the NAB:

The American People Have A Right To Free Enterprise,Contrary To the Big Money Changers Billy Tauzin,And Ed Fritz Of The NAB and the Radio Conglomerates

Personal liberty includes the right to enter the free market of economic activity LPFM Broadcast Service, As Proposed By The FCC Docket MM 99-25-and the free market of ideas. You have the right to participate in the free market and speak your mind freely. You have no guarantee of success in free enterprise, but you have the right to defend yourself against anyone who tries to limit or extinguish your right to free enterprise, Such as Congressman Billy Tauzin Of Louisiana and Ed Fritz of the NAB . Free enterprise built this country. Let's keep building.

## Citizens

## Alert

We the American People Elected You to Supervise  
(our the Americans Peoples Government) Not Yours  
we pay you for services rendered.

Give us the Opportunity to own an Operate a LPFM  
Broadcast Community Business and Service,as  
Proposed by The FCC Docket MM 99-25

Our nation is, conceived in liberty, and dedicated  
to the proposition that all men are created  
equal.- that our nation, under God, shall have  
freedom and that government of the people, by the  
people, for the people, shall not perish from the  
earth,and that Woman,Blacks,Hispanics,and the Less  
Fortunate,have the right to Achieve Free  
Enterprise,and earn a Liveing in the United States  
Of America: As Proposed by the FCC in there  
Adoption of LPFM Broadcast Service,for those  
Citizens who want to Achieve a Community Broadcast  
Service and Business.

## Rep.

Billy Tauzin of Louisiana said the Federal  
Communications Commission plan for so-called  
microradio would reduce the audience and  
advertising revenue of current stations and  
possibly create severe interference.

Look at the above Statement  
and Tauzin is our Represenative,he flat out tells  
us and the FCC sorry but you dont have any Civil  
Rights and you can not Operate a Business in the  
United States,because It will take MONEY OUT OF  
MY POCKETS AND MY GOOD OLD BUDDIES THE RADIO  
CONGLOMERATES AND MOST OF ALL MY GOOD OLD BOY ED  
THE MONEY CHANGER FRITZ OF THE NAB!!  
This statement by Tauzin is a Obtrusive and  
Contrary to laws and customs of our Nation,Tauzin  
and the NAB are Stealing my right to Own an  
operate a Free Enterprise Business in the United  
States,they are Stealing my Freedom Of  
Expression,an my Civil Rights and my Free Speech !  
)

Congressman Walden of Oregon, is Aganist Free  
Enterprise As Proposed By The FCC In Docket MM  
99-25, yet he Owns 4 Commercial Radio Stations:

Congressman Walden Aganist The American Peoples  
Constitutional Rights He Needs to Resign!!!!!!!!!!!!

Congressman Greg Walden was interviewed by QST  
magazine (April 1999 pp.

15 and 16). Representative Walden is from Oregon's 2nd District. He had the following comments about radio:

1. Setting up LPFM "could prove very disruptive".
2. He is skeptical about auctions and their impacts on voluntary services and on commercial broadcasting.
3. He thinks that there will be a major restructuring and reform of the FCC this year. He states that there will be a lively debate in Congress on this subject.
4. He wants the FCC to be more aggressive in shutting down pirates. In his view, the FCC should be "more aggressive in pursuing the integrity of the spectrum".

Representative Walden owns 4 commercial broadcast stations. He is also an amateur radio operator.

Citizens Alert:  
Mr.D'Alessandro  
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Lewes,Delaware 19958  
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