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May 28, 2003

OUR FILE NO. 21290-00100-63

Marlene H. Dortch, Secretary
Federal Communications Commission
c/o Vistrionix, Inc.
236 Massachusetts Avenue, NE, Suite 110
Washington, DC 20002

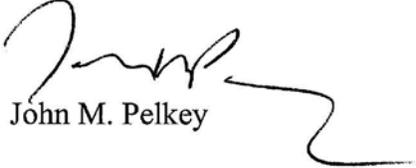
Re: MB Docket No. 02-277, MM Docket Nos. 01-317 and 00-244

Dear Ms. Dortch:

The purpose of this letter is to include in the record of the above-referenced proceedings correspondence that has been sent to certain Commissioners and their staffs by Frank D. Osborn, President of Qantum Communications Corporation. Specifically, attached hereto is a copy of a May 23, 2003, letter sent to Commissioner Abernathy by Mr. Osborn. Identical letters were sent to Commissioners Capps and Martin and to Commission staff personnel Susan M. Eid, Esq., and Johanna Mikes, Esq. In addition, also attached hereto is a copy of a letter dated May 5, 2003, that was sent by Mr. Osborn via e-mail to each of the Commissioners.

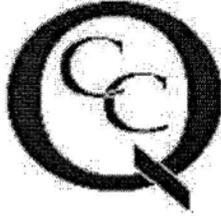
If you have any questions concerning the above, please contact the undersigned directly.

Sincerely,



John M. Pelkey

Enclosures
JMP/sdt
DC_DOCS:608142.1



QANTUM COMMUNICATION CORPORATION
3 Stamford Landing, Suite 210
46 Southfield Avenue, Stamford, CT 06902

May 23, 2003

Hon. Kathleen Q. Abernathy
Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Dear Commissioner Abernathy:

I would like to thank you for the opportunity that you provided to me to explain my concerns with respect to the Commission's review of radio ownership rules. As co-founder, along with Frank Washington, a well-known minority media entrepreneur, of Qantum Communications, I am concerned that the Commission may inadvertently take steps that, while directed at preventing some of the limited number of ownership anomalies that have occurred under the present rules, may well have the effect of making it all but impossible for new entrants to compete effectively with the major broadcasters who have been able to take full advantage of the present rules.

You may recall that one of the concerns expressed in our meeting was that any market definition that is based upon Arbitron would, to some extent, be inherently arbitrary inasmuch as Arbitron markets tend to reflect the marketing goals and plans of the Arbitron subscribers in those markets rather than engineering realities. In point of fact, Arbitron frequently modifies its markets based upon the desires of its subscribers. As if to evidence the way in which Arbitron markets can be subject to manipulation, this morning's fax version of *Inside Radio* reports that Arbitron is circulating a list of 139 metros where it would be possible to add at least one new county based on the diary-reported mentions of stations. According to the article, Arbitron is circulating the list to determine whether its subscribers are agreeable to enlarging their metros by adding the counties in question. Because Arbitron usually requires that 75% of its local subscribers must agree to adding counties, the change in these metro markets will not depend upon economic data, but on the wishes of the Arbitron subscribers. The wishes always reflect the view of THE LARGEST SUBSCRIBERS. I assure you BIA is likewise responsive to market definitions in the interests of their largest clients. The fact that approximately one-third of the nation's Arbitron markets may be changed based, not upon economic analysis, but upon the wishes of those broadcasters that subscribe to Arbitron, highlights

the transitory nature of those markets and the questionable wisdom of using Arbitron markets as the basis for making fundamental decisions concerning radio ownership.

For 70 years the physics of radio signals has been the standard for regulating the industry. Slight modifications in the interpretation of market size based on signals will resolve the few anomalies that have occurred. That is far better than a "fix" that without thorough vetting may actually make the powerful more so.

Again, I thank you for freeing up time from your schedule to meet with me. If you have any further questions or wish to discuss any of the issues raised at our meeting, please feel free to give me a call at 203-388-0048.

Sincerely,

Frank Osborn

QANTUM COMMUNICATIONS CORPORATION

3 Stamford Landing, Suite 210
Stamford, CT 06902
(203) 388-0048 fax (203) 388-0054

May 5, 2003

Hon. Michael J. Copps
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Commissioner Copps:

I am the founder of a small start up radio company and am very concerned that you may take actions in response to the consolidation of the industry by certain large national companies that will permanently protect them and permanently handicap new entrants – with the result that companies like mine would be foreclosed from becoming the engines of diversity that they are poised to become.

Qantum Communications is a new platform company founded by me and my long time partner, Frank Washington, a well known minority media entrepreneur. Our objective is to enter medium to small markets and establish a base of operations in which, even if it can never be the largest broadcaster in the market, it can at least compete with the market leader on a reasonable basis. Since even the smallest markets have already been consolidated to a certain point, frequently by major broadcasters who have very large existing shares, any rules that take into consideration the holdings of the dominant player in determining whether or not to grant further assemblies of stations by several small players (such as the 70% threshold rule now being used for processing assignment applications) forever grants the currently-entrenched dominant broadcaster a government ordained unassailable position.

I understand there is pressure to take some action. Curiously, the pressure stems primarily from one megacorporation not only creating very high local concentration of radio stations, but also having integrated them with other media properties. It will be sad indeed if you take actions in response to this whose primary beneficiary is the very company people are upset with.

It is imperative that you understand that such action may in fact prevent the creation of new viable players. Should you feel that market definitions truly must be made more clear, then I will have to appeal to you to slow down the process, to examine the implications of the actual mechanism used for clarification. One idea bandied about is the use of Arbitron market definitions. This is a very bad idea. Small broadcasters in small markets have for years spent large sums of their own money to induce Arbitron to survey increasingly small markets, specifically to have a marketing niche with which to contrast the small properties to their nearby large market competitors. If we now use that hard fought for designation to rein in station

ownership in these markets, such operators have significantly harmed their ability to compete against their large and established competitors.

Should you truly believe that you need to take action, I would ask for the opportunity to meet with you so as to help avoid the unintended consequence of enshrining the large players and preventing the development of new viable small competitors who have the potential to create the diversity that all concerned agree is in the public interest. I may be reached at (203) 388-0048 or fosborn@qantumcom.com.

Very truly yours,

Frank D. Osborn
Chief Executive Officer

cc: Jordan Goldstein, Esq.