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SUMMARY

Clear Channel Communications, Inc. welcomes the opportunity to participate in the Commission's inquiry concerning localism in broadcasting. Each Clear Channel station takes seriously its role as a broadcaster and its ability to enhance, educate, entertain and inspire the local communities it serves. Localism is the beacon that guides the programming and operation of every Clear Channel radio and television station. Localism is also the essential ingredient of a successful broadcasting business. Localism enables broadcasters to distinguish themselves in an ever-changing and ever-expanding media marketplace where aspiring competitors vigorously compete head-to-head in an attempt to attract and maintain an increasing fractionalized audience's interest.

There have never been more choices among programming options in both the audio and video marketplaces. It is against this backdrop that Clear Channel operates within the public interest as it serves its communities. Our commercial imperative is to *engage* our listeners and keep them tuned into our stations. We do this by entertaining them; by informing them, and sometimes by inspiring them. The way to engage our listeners is to be locally focused - our stations identify issues and tastes of importance in their communities and respond by broadcasting programming and otherwise participating in their community to address those concerns. This commitment includes, among other things, music selected not by means of a mythical "national playlist," but by the 900 Clear Channel program directors connected with the individual communities that they serve. It includes a multi-million dollar commitment to local audience research and initiatives to introduce listeners to new, local music and artists. It includes

a zero tolerance policy for pay-for-play and a lack of ties with independent record promoters. It also includes the limited use of technology to provide quality radio talent to small and rural markets that might not be positioned to afford it on their own, and which does not detract from localism in any sense.

In Clear Channel's view, based on its experience in hundreds of radio and television markets across the country, market forces provide an extremely compelling incentive to remain responsive to local needs and interests. If we fail to be responsive to local needs and interests, we will lose our audience. And if we lose our audience, we will have lost our business. It is as simple as that. As a result, the marketplace itself ensures that we serve our local communities in order to maintain audience share and attract advertising dollars - broadcasters' sole source of revenue. Because the marketplace provides the requisite discipline, a national governmental edict about being responsive to local communities is not necessary.

Indeed, the imposition of new federal regulatory requirements would actually have precisely the opposite effect envisioned by proponents. A new layer of regulatory burdens would harm local communities by hampering the ability of local broadcasters to make decisions and be responsive to the communities they serve. Broadcasters must remain responsive to audiences, which attracts the advertising dollars - the resources necessary to fund the provision of local community service in the first place. But new regulatory requirements will force local broadcast stations to be responsive to the federal regulators, rather than to the audiences that they are licensed to serve. It is hard to envision how such an approach would result in more localism.

I. INTRODUCTION

Clear Channel welcomes the opportunity to participate in the Commission's inquiry concerning localism in broadcasting. As expressed by the *NOI*, the Commission has initiated this proceeding "to receive direct input from the public on how broadcasters are serving the interests and needs of their communities," whether the Commission "need[s] to adopt new policies, practices, or rules designed directly to promote localism in broadcast television and radio," and if so, "what those policies, practices or rules should be."¹ Each Clear Channel station takes seriously its role as a broadcaster and their ability to enhance, educate, entertain and inspire the local communities it serves. Localism is the beacon that guides the programming and operation of every Clear Channel radio and television station. Localism is the essential ingredient of a successful broadcasting business. Localism enables broadcasters to distinguish themselves in an ever-changing and ever-expanding media marketplace where aspiring competitors vigorously compete head-to-head in an attempt to attract and maintain an increasing fractionalized audience's interest. Indeed, the Commission only need look at satellite radio's encroachment into local programming as evidence of localism's role in attracting customers.

Today, consumers have an abundant array of choices. Consumers are in no way limited from getting their music and entertainment from the numerous terrestrial broadcast radio stations in their community. They can also access music from dedicated all-music channels offered by cable and satellite companies; from CDs – store bought and ones they burn on their own; and from Internet radio services like Yahoo's Launchcast

¹ *NOI*, ¶ 7.

radio portal, and on-line music downloads. They can also get music from the two competing national satellite radio services, with hundreds of channels. Gone are the days of teenagers listening to only a transistor radio. Today they carry digital devices which store pre-recorded music -- Apple's iPods, and Dell's Pocket DJ and just last month alone five aspiring competitors joined the field.² Satellite radio companies have announced plans for their own portable devices.³

The same holds true in the video marketplace. Consumers can get video programming from a number of local broadcast television stations. They can enjoy literally hundreds of local, regional, and national video programming channels covering just about every niche topic imaginable from traditional cable and satellite (DBS) companies, or they can enjoy video programming packages from new competitors like VOOM, or the regional bell operating companies.⁴ And finally, consumers can enjoy unfettered access to video via Internet streaming. Clearly, there have never been more choices among programming options, and Clear Channel stands ready to compete. With the audience in the driver's seat, broadcasting must remain a local medium in order to survive. Consumers do not have to listen to radio or watch local broadcast television, and they certainly do not have to listen or watch Clear Channel programming. They have options which they can exercise, and they do so at the drop of a hat. In the context of radio, as Clear Channel's then-Chairman and CEO put it at a hearing held by the Senate

² May Wong, "New Crop of Portable Players Nips at iPod," AP via Yahoo News, October 25, 2004.

³ Associate Press, "Satellite Radio XM introduces Walkman-size receiver," News8Austin, November 1, 2004.

⁴ Catherine Yang, Tom Lowry and Roger O. Crockett, "Cable vs. Fiber, In the titanic battle to control the flow of data to U.S. households, the Bells fight back by offering video via phone lines," BusinessWeek, (November 1, 2004) at 36 (attached hereto as Exhibit A).

Commerce Committee last year, “radio is the only business I know of where you can lose a customer with the push of a button at 60 miles per hour.”⁵

It is against this backdrop that Clear Channel operates within the public interest as serves its communities. Our commercial imperative is to *engage* our listeners and keep them tuned into our stations. We do this by entertaining them; by informing them, and sometimes by inspiring them.⁶ The way to engage our listeners is to be locally focused – our stations identify issues and tastes of importance in their communities and respond by broadcasting programming and otherwise participating in their community to addresses those concerns. All the while, our station managers are acutely aware of the ease with which this audience can become ex-listeners and viewers and are engaged in a never-ending effort to fine tune our broadcasts to keep our existing audience while attracting new ones as well. Our efforts to engage our audience bind our stations to the communities they serve. Our stations become part of the fabric of their communities, both appealing to and reflecting their communities’ tastes; their varying demographics; and their overall interests.

In Clear Channel’s view, based on its experience in hundreds of radio and television markets across the country, market forces provide an extremely compelling incentive to remain responsive to local needs and interests. If we fail to be responsive to local needs and interests, we will lose our audience. And if we lose our audience, we will have lost our business. It is as simple as that. As a result, the marketplace itself ensures that we serve our local communities in order to maintain audience share and attract

⁵ Testimony of Lowry Mays, Chairman and CEO, Clear Channel Communications, Inc., Before the United States Senate Committee on Commerce, Science, and Transportation (Jan. 30, 2003), at 5.

advertising dollars – broadcasters’ sole source of revenue.⁷ Because the marketplace provides the requisite discipline, a national governmental edict about being responsive to local communities is not necessary.

Indeed, the imposition of new federal regulatory requirements would actually have precisely the opposite effect envisioned by proponents. A new layer of regulatory burdens would harm local communities by hampering the ability of local broadcasters to make decisions and be responsive to the communities they serve. For what may constitute “local programming” to federal regulators in the nation’s capitol may not be what a local community wants or needs in terms of localism. Broadcasters must remain responsive to audiences, which attracts the advertising dollars – the resources necessary to fund the provision of local community service in the first place. But new regulatory requirements will force local broadcast stations to be responsive to the federal regulators, rather than to the audiences that they are licensed to serve. It is hard to envision how such an approach would result in more localism.

The Commission has already recognized that the marketplace functions in a manner that dictates that broadcasters provide service to the public and be responsive to their communities. In summarizing its actions to repeal a number of regulations with respect to radio, the Commission quoted the remarks of Congressman Free of California during Congressional debate on what was to become the Radio Act of 1927:

I think there is one monopoly in this thing and I think it is

⁶ In many of its markets Clear Channel stations broadcast local church services on Sundays and religious holidays for those among their listeners who are unable to attend a church service in person.

⁷ As just one evidence of the marketplace making change in the industry, Clear Channel Radio, after hearing from its listeners that they wanted less ad clutter on the air initiated the *Less Is More Campaign* to cut the number and length of advertisements. See, http://www.clearchannel.com/Radio/PressReleases/2004/20040719_CCR.pdf

the individual listener. The minute he turns off his set and refuses to listen, just that minute the radio is gone so far as the sellers of sets are concerned. Because of that fact they [broadcasters] must put on good programs; they must maintain the public interest because the public is their asset. When they sell time to an advertiser they have got to show that you and other people are listening, and if they cannot show that they cannot get money for broadcasting.⁸

II. COMMUNICATIONS WITH COMMUNITIES

Clear Channel stations have a multi-pronged approach to understanding the needs and preferences of the communities they serve. First, as a company, Clear Channel is organized in a manner that is designed to optimize our responsiveness to the markets we serve. Clear Channel is purposefully a decentralized organization, with no more than twenty radio and television employees working in the division headquarters. This compares with the approximately 17,000 radio and television employees who live and work in the markets that are served by Clear Channel stations.

Clear Channel supports the programming determinations made by these local station managers, programming directors and on-air talent across the nation to make programming decisions with respect to their individual communities. Clear Channel's local managers typically are members of civic and charitable organizations. This involvement in and interaction with the community at a ground level further ensures that the programming and other operating decisions made back at the stations are based upon a real sense of what the communities needs and wants.

The in-market presence of a substantial number of Clear Channel employees helps to ensure that our stations are responsive to the people they serve. These

⁸ See Deregulation of Radio, 84 F.C.C.2d 968, 1013-14 ("Radio Deregulation Order") (footnotes omitted).

employees live with their audience. They know what their neighbors are concerned about; they know the issues that matter to their communities. They also know that everyone in their communities has access to a plethora of other radio and television stations, as well as to alternative sources of entertainment, news, and other information. They understand that, by doing right by their neighbors – by being responsive to their tastes and preferences – their stations will succeed in the marketplace.

To further enhance its stations' local responsiveness, Clear Channel has initiated a program to convene Local Advisory Boards ("LABs"). The objective of LABs is to provide feedback on, and improve the performance of the Clear Channel stations in their market in identifying community needs and responding appropriately with programming recommendations. So far, LABs have been convened and have met in five markets, with additional boards to be added on a regular basis.⁹ Local Clear Channel market personnel invite members from communities to participate in the LAB.

Already, LAB meetings have proven their worth. In San Antonio and Cleveland, LAB meetings have resulted in joint participation by Clear Channel in local voter registration campaigns, an issue raised by members of the LAB to the stations. In response to concerns in Sarasota, local Clear Channel stations established an online program (ClearChannelVolunteer.com) providing information on, and links to, community volunteer opportunities for local residents. The response has been quite positive.¹⁰ And as word of the success of the initial LABs has spread, management

⁹ To date LABs have been convened in San Antonio, Cleveland, Sarasota, Florida, Louisville, and Chicago with more on the way.

¹⁰ Just one example of the AB's having a positive impact within the communities is from Mr. Pascal Gonzalez, Executive Director of Communications for Northside ISD, the largest school district in south Texas. "I can say that Clear Channel helps keep the local citizenry informed on issues about which they

personnel in other Clear Channel markets have sought to create their own LABs in advance of their planned rollout.

A. Local News and Public Affairs Programming

A major benefit of the ability to build clusters of radio stations (a result of the 1996 Telecommunications Act's deregulation of radio ownership) has been the ability for radio stations to dedicate staff at one or more stations in a market to providing news, public affairs, and discussion on issues of the day. Indeed, the number of news/talk radio stations is at an all-time high, approaching 1300 nationwide.¹¹ At present, 190 Clear Channel radio stations air a news/talk format. Many of these stations commit an average of 900 minutes of each broadcast week to local news and information.

Clear Channel's commitment to local news, however, extends beyond its news/talk radio outlets. All Clear Channel radio and television stations air news and information that is relevant to their communities every day. For many communities, music stations (FM's) have become one of the many sources that listeners turn to for local news. Most importantly it is the local community that determines what's newsworthy. Whether it's high school football updates, drive-time traffic reports or national news, our stations deliver local news that is relevant to listeners in their respective communities. Our commitment to local news is reflected in the fact that roughly two-thirds of the news reported (66%) on Clear Channel radio stations originates locally. This commitment is also evident in the allocation of news resources. Clear

need to know. Service on the local Advisory board has given me the opportunity to address several education related issues with the programming decision-makers. Their news stories always attract the attention of interested citizens and serve the bigger purpose of bringing to light problems that need to be addressed. In the end, the public wins because of corrective actions taken."

Channel employs over 450 news reporters, across the 250 markets we serve to cover the thousands of stories that occur daily. Our commitment to news excellence has resulted in numerous awards.¹² Most recently three Clear Channel stations won the prestigious Edward R. Murrow Awards for excellence in news coverage.

Clear Channel stations likewise present an abundance of public affairs programming that addresses issues of importance to the local community. By way of illustration, Clear Channel's Louisville, Kentucky stations present a weekly public affairs program titled "The Moral Side of the News," which discusses local issues and has aired continuously since 1954. These stations also produce a public affairs program, "Kentucky Focus," focusing on issues of Kentucky statewide interest. WHAS(AM), Clear Channel's Louisville news/talk station, reserves at least one interview slot per day, Monday through Friday. In other words, the station thus conducts at least 250 interviews per year with local political, charitable and community leaders discussing issues of local importance.

As another example, each week, each of Clear Channel's five St. Louis stations airs one or more regular public service programs which it produces. KMJM(FM), for example, airs a popular two-hour public affairs program which the station produces and which is focused on local community issues called "Sunday Morning Live;" KSD(FM) airs a half-hour program entitled "St. Louis Matters" featuring a community calendar and interviews with organizations with upcoming fundraisers or a need for public awareness of their programs; and KLOU(FM) offers a regular segment entitled "In Your

¹¹ See Inside Radio, Sept. 1, 2004 (indicating there are 1293 commercial radio stations with a news/talk format).

¹² See Exhibit B for an illustrative list of some of the awards Clear Channel stations have received.

Neighborhood.” Clear Channel’s urban-formatted station in St. Louis, KATZ-FM, airs “The Freeman Bosley Jr. Show” for two hours weekly, and its gospel station, KATZ(AM), offers three regularly scheduled public affairs programs to increase awareness to the community of important events and issues of the day.

Also, in Houston, Texas, radio stations KTRH and KPRC present a ten-minute weekly morning-drive segment entitled “Houston’s Most Wanted.” In this segment, Clear Channel Houston stations partner with the Houston Police Department and Crimestoppers to provide information on unsolved crimes. KTRH also airs a weekly “Consumer Watch” feature in partnership with the Houston Better Business Bureau. It focuses on consumer information, prevention of scams, and providing assistance to listeners in resolving consumer problems using a panel of BBB experts.

Over the past several years, Clear Channel’s Cincinnati television station has produced and aired one-hour documentaries on various significant topics of local interest. One such documentary focused on the April 2001 riots in Cincinnati, their aftermath, and the future of race relations in the community. Another, “Firing Back,” addressed the weighty issue of the problematic increase in gun violence and the murder rate in the city of Cincinnati. These are issues of import to our viewers.

In Albany, New York our seven radio stations air “Clear View,” a weekly half-hour public affairs program, every Sunday. “Clear View” highlights community organizations and their positive impact on the Albany community. Whether educating listeners about a fundraiser for the local chapter of the MS Society or discussing an upcoming film festival, Clear Channel enjoys a positive reputation throughout the community as a source of unique local information. In addition, the stations employ an

award-winning staff of seven full-time reporters and anchors to report on the local news.

And finally, Clear Channel is proud of the work of its television news operation in Monterey, California. KION 46 provides the market with the only 7PM local news broadcast in prime time on the central coast, while KCBA 35, for which Clear Channel produces news programming, provides the market with the only 10PM local news broadcast in prime time on the central coast. Both stations produce a “Life in the 831” segment twice-weekly focusing on local people doing good things in the community. And both stations recently provided timely, interactive help to viewers in search of the least expensive gas – information that really can help a community.

As an example of local stations responding to community need, in the past few months, fifteen of Clear Channel’s radio stations have picked up the syndicated content from a new progressive talk-radio programmer – Air America. Contrary to the unfounded contentions of some that Clear Channel’s programming reflects a uniform, allegedly “conservative” corporate political viewpoint, Clear Channel’s radio group is now the largest affiliate group for Air America. The reason? Clear Channel’s local management determined that demand in their markets existed for progressive talk.

Local sports programming, like other public events programming, serves to strengthen our local cultural interests and values. It also assists in developing a greater sense of community. Over the summer, our San Antonio sports radio station, Ticket 760 (KTKR-AM) added three *additional* hours of local sports talk programming each weekday. The additional local programming was a result of SportsTalk San Antonio’s success over the past few years, and according to the programming director, Nate Lundy, was in direct response to listeners’ wishes for more local sports talk. This past spring,

Clear Channel of New Orleans and The New Orleans Hornets entered a three-year deal to broadcast the Hornets' games on WODT-AM, Sports Radio 1280-The SportsMonster and WRNO-FM, 99.5 WRNO. Sports Radio 1280 will become the flagship station of the New Orleans Hornets, a place where fans can tune in to hear every game and the latest Hornets updates. Sister station, 99.5 WRNO, will simulcast nearly half of the games to Hornets fans throughout Southern Louisiana – Hornets fans are thrilled. In addition, the Clear Channel television local sports anchor, Hunter Finnell, in Monterey, California, produces a Scholar Athlete weekly segment honoring high school students who excel at both sports and academics. These are but a few examples of the sports programming done on Clear Channel stations – examples that are replicated all across the country.

Impressive as this list may appear, it is merely the tip of the iceberg in terms of the genuine commitment of Clear Channel radio and television stations to produce and air important community-specific news, public affairs and entertainment programming.

Clear Channel places the decisions as to the resources to devote to news and public affairs, the programming to air, the stories to cover, and the issues to address, squarely in the hands of its local market managers. This follows from Clear Channel's purposeful decentralized broadcasting management structure, which requires local decision-making on all operating issues, including programming. Only in that way can Clear Channel's news and public affairs and sports programming truly reflect the individualized tastes and concerns of its stations' local audiences. In all areas of programming—news, public affairs, discussion of controversial issues, sports and entertainment—decisions are made locally and geared to respond to the needs and tastes of listeners and viewers in individual markets. Meeting the ever-changing tastes of our

local listeners is a non-stop process, and Clear Channel will continue to look for ways to meet their divergent interests.

B. Localizing Entertainment

A substantial portion of Clear Channel's programming is entertainment. Given the panoply of alternative entertainment sources available to Clear Channel's audience, Clear Channel endeavors to make each of its stations a dependable destination for its audiences in each of the markets it serves. In a market where consumers have a dizzying array of attractive entertainment alternatives, we strive to ensure that they will always find what they're looking for on a Clear Channel radio and television station.

Clear Channel's local management selects the format for each station based on the needs of the market it serves. If a competing station is not doing a particularly good job meeting the needs of the audience, a Clear Channel station may seize the opportunity and adopt the same format to compete head-to-head. Moreover, if a particular radio format is non-existent in that market, a Clear Channel radio station will bring that format to the market. In each case, it is the listeners who determine which stations succeed and which fail—as they should. They have options and exercise them without hesitation.

Clear Channel conducts exhaustive market research to determine the preferences of listeners in each of the markets it serves, in order to ensure that the entertainment aired by each Clear Channel station reflects the tastes and preferences of that station's local market. During the first three quarters of this year (January through September, 2004) Clear Channel's market researchers placed 28,984,579 calls to elicit listener responses. In addition to engaging in call-out research, those researchers conduct thousands of in-person interviews. Clear Channel conducts auditorium music tests to make sure that it is

meeting the needs of each market's diverse population. Since 1996, Clear Channel has been able to increase the number of formats to narrowly tailor the music of a particular station to that which its listeners told us they wanted. Increased and more targeted formatting has enabled station management to select playlists that the station's listeners want to hear, reducing the likelihood that they will exercise their option to tune in to another station. As a result of this market-driven evolution in programming, a greater diversity of artists and songs are broadcast.

As is obvious, listener satisfaction is critical to Clear Channel's success. Given the differences that exist between and among different markets; different formats; and different dayparts, ascertaining consumer preferences for each is each Clear Channel station's highest priority. It is only through its unwavering commitment to identify listeners' needs, and to identify programming to meet those needs, that Clear Channel radio stations can keep those consumers listening to its stations rather than defecting either to competing stations or to some other, non-broadcast, form of entertainment.

Clear Channel's efforts to ensure that our stations air music that reflects and appeals to the preferences of our local markets are not limited to nationally-known entertainers. Clear Channel stations also create and air programming that showcases entertainers with a more limited, regional appeal. One example of Clear Channel's efforts is a program called "The Other Side of KJ" aired by Clear Channel station KAJA San Antonio.

There is a regional musical format in Texas called "Texas Music." Texas Music tends to be popular along the Interstate Highway - 35 Corridor, running from San Antonio north through New Braunfels, Austin, Waco and Dallas. Musicians who play

Texas Music are not necessarily from Texas, and all Texas musicians do not play Texas Music. Bands playing Texas Music all write their own songs; in fact, fans check the liner notes on a CD and reject bands that play songs that were “purchased” from songwriters. Among the bands playing Texas Music are “Two Tons of Steel” and “The Lost Trailers.” Other musicians playing Texas Music are Drew Womack, Shannon Lawson, and Deryle Dodd. Texas Music has an “unproduced” sound somewhat akin to the garage bands that were so popular several years ago, and Texas Music fans are as devoted to these musicians as Grateful Dead fans were back in the 1970s.

KAJA began airing “The Other Side of KJ” on Sunday nights. Since the program began, it has proven so popular that KAJA has expanded it to Monday through Friday. It is co-hosted by KAJA’s program director and the artists who make the music. They talk about whatever they want to talk about, everything from Nashville studio politics to large media companies (including Clear Channel). Sales of Texas Music CDs have exploded in the region.

While “The Other Side of KJ” is certainly a successful effort to showcase regional talent, other Clear Channel stations across the country are airing similar programming featuring different artists that reflect the regions and localities in which they operate. For example, in Denver, Colorado Clear Channel’s 97.3 KBCO airs a program called “Studio C Local Edition.” This weekly program features local bands from the Denver Metro area. The program features two of the band’s songs, with an interview in between. Among the groups that have appeared are “The String Cheese Incident,” “Messy Bessy,” “Devotchka,” “Chris Daniels and the Kings,” and “Leftover Salmon.” Last year, KBCO created a CD titled “Studio C Local Edition” from the best of the bands’ performances,

the proceeds of which were donated to fund music education programs in the Denver-area schools. This is clearly a win-win situation. The local bands get air-time and exposure. The listening audience gets access to the newest bands. The local community receives help in funding music education efforts, which may very well include getting instruments into the hands of the next generation's music sensation. DC 101 in Washington, D.C. has a portion of its web page, <http://www.dc101.com/onair/locallix.html>, dedicated to its own local music show, Locallix, which airs on Sunday evenings at 9 PM. In addition to airing new talent, the station also provides instructions to aspiring artists on how to submit music and provides listeners links to the websites and MP3s of artists who have been recently featured on the air.

In addition to its on-air efforts to showcase local bands and artists, Clear Channel operates and maintains "ClearChannelNewMusicNetwork.com". This is a website where aspiring artists can upload their music free of charge. Anyone, from Clear Channel station management, to a listener, to a competing radio station, with an interest in listening to new music can listen to what has been uploaded and comment to the performers.

C. Public Service Announcements

Another category of programming that exemplifies Clear Channel's commitment to the communities it serves across the nation is its leadership in the area of public service announcements (PSAs). Clear Channel is pleased to use its stations and their ability to reach millions of people to raise awareness, inspire action and even save lives. There is no doubt as to the power of PSAs, particularly those produced by the Ad Council. Indeed

many of their slogans have been woven into the very fabric of American culture and have made a positive and lasting change in the way our society views things. Who can forget the Crash Test Dummies and the fact that “you can learn a lot from a dummy” about the perils of dangerous driving, or the fact that “friends don’t let friends drive drunk”? And everyone remembers the safety tips from McGruff the Crime Dog’s “Take A Bite Out of Crime” campaign and the warnings from the “A Mind is a Terrible Thing To Waste” the United Negro College Fund campaign. These PSAs found an interested audience in communities across the country where local management identified a need.

The power of the Ad Council’s messages and Clear Channel’s own commitment to its communities led Clear Channel last year to commit to donate \$120 million in advertising time and space for the Ad Council’s PSA campaigns. This marked the largest upfront commitment from a media company in the Ad Council’s sixty year history. In addition to our media properties, Clear Channel has also committed to donate talent to create original PSAs for Ad Council campaigns. The organizations that work with the Ad Council to craft and publicize messages were delighted by Clear Channel’s commitment.

We have seen the unique power of Ad Council PSAs to motivate Americans to take action. In only the first six months of our campaign, unique visits to the Big Brothers Big Sisters’ website rose by almost 130% and calls to our hotline increased by more than 2,000%. As a result of Clear Channel’s support, we believe that so many more at-risk youth will have someone to call a Big Brother or Big Sister.

Judy Vredenburg, President and CEO of Big Brothers Big Sisters of America

The National Parent Teacher Association (PTA) is thrilled that Clear Channel recognizes the value of our public service messages and has made this remarkable commitment to support PSAs across all of their media properties. I am confident this partnership will greatly extend the reach of our new parent involvement campaign, launching this fall, and will communicate to parents across the country

that they are key to their children's success in school and beyond.

Pamela Grotz, Executive Director of the National PTA

Clear Channel has taken additional steps to support PSA distribution across the country. It created "The PSA Highway" which is easily accessible at the following: <http://publicservice.clearchannel.com>. This site is a dynamic and useful resource where non-profit organizations can share their messages with the media; where Clear Channel stations (and competing stations) can access PSAs for broadcast on-air; and, where consumers can learn what the Non-Profit organizations are doing with their PSA messages.

Clear Channel radio and television stations all across the country regularly provide air-time for PSAs – and do it effectively. Clear Channel's KOKI 23 and UPN 41 recently received awards from Drug Free Oklahoma for their sponsorship of Partnership for a Drug Free America. The stations have sponsored the partnership for the past three years. These stations were honored for running the most PSAs in the state of Oklahoma focusing on the prevention of drug use. The stations have made a commitment to make their viewers aware of the dangers of drug use and for reducing the number of teens on drugs in Oklahoma.

It is apparent that while PSA programming is no longer a part of the license renewal process,¹³ there are companies, like Clear Channel, still that take seriously their role as broadcasters in local communities. Clear Channel's commitment to PSAs is an

¹³ As part of the non-entertainment programming guidelines, license renewal forms asked applicants to state how many PSAs they proposed to broadcast on a weekly basis in the coming license term. These requirements have been repealed. See, Radio Deregulation Order, 84 F.C.C.2d 968; Revision of Programming and Commercialization Policies,

important demonstration of the social obligation that it chooses to embrace to further its relationship with its audiences and serve our communities.

And the list of community events in which Clear Channel stations participate—from clothing drives to charity radiothons to community events—is endless. Clear Channel knows that the communities its serves are as diverse as the people in them. The unique flavor of each city and town on the map is the essence of its local spirit, as defined by the people who live, work, and raise families in those communities—and give of themselves in so many ways to help their neighbors. Likewise, our employees, as involved citizens, roll up their sleeves and give of themselves for the benefit of people in every community we serve. At Clear Channel, local community partnerships and employee volunteerism support a diversity of social needs and concerns totally unique to those local communities. As we reach out to our neighbors in service, Clear Channel employees embody the local spirit of giving that is transforming, bringing people together, and working to give hope and assistance to those in need. This is the true spirit of Clear Channel, and it's that local spirit that shines through in countless ways, in communities across America every day. Clear Channel Local Spirit is neighbors helping neighbors in communities across America. To that end, the company provides an additional paid day-off to encourage employees to volunteer with any non-profit of significance to them in their community.

For example, Clear Channel's Jacksonville, Florida radio and television stations have joined with the city's mayor in an initiative to raise community awareness of early

Ascertainment Requirements, and Program Log Requirements for Commercial Television Stations, 98 F.C.C.2d 1075 (1984).

literacy's importance to a city where illiteracy rates have been estimated as high as 47%. Toward that end, Clear Channel Jacksonville has committed to produce a weekly half-hour children's educational and informational program to complement a series of books to be published by the Jacksonville Children's Commission. Clear Channel's Jacksonville stations have also committed ongoing news coverage of the city's literacy initiative and production of a public service campaign to promote it, among other things. Moreover, in 2002, the State of New York classified the Blodgett library – located in one of the poorest neighborhoods in the nation – as a safety hazard. Clear Channel stations in Syracuse, New York responded by raising over \$80,000 in a radiothon to help create the "Dream Center," a technologically sophisticated library and potent learning center. In addition, last year, Clear Channel's KOKI FOX 23 and KTFO UPN 41 television stations in Oklahoma were recognized as the winners of the 2003 Oklahoma Association of Broadcasters Community Service Award. The group was honored for its annual Toys for Tots campaign, which provides toys for those in need at holiday time. Toys for Tots hoped to collect 40,000 toys in Northeastern Oklahoma that year but with help from Clear Channel Television-Tulsa, the group surpassed the goal by collecting over 55,000 toys.

In each example of community service mentioned above, not only did local Clear Channel radio and television stations take concrete steps to support their local communities, they did so using the very broadcast license they are charged with using in the public interest. Clearly, Clear Channel stations are identifying local needs and responding.

D. Political Programming

Broadcasters have the unique ability to be part of the democratic process by helping educate and inform voters about the candidates and the issues of the day and to improve the political discourse in our nation. Throughout all of its markets, Clear Channel stations are at the forefront of political coverage. This obviously includes the Presidential race and federal races, but also includes state and local races of interest to local audiences.

For example this past September, two Clear Channel radio stations in Augusta, Georgia carried a live simulcast of a debate between candidates for a state senate seat. While in Albany, New York, WGY(AM) will present four hours of continuous results and analysis on election night. Leading up to Election Day, WGY(AM)'s afternoon talk host has devoted considerable attention to the local race for Albany County District Attorney, interviewing the Republican and Democratic candidates for the position. Last year, Clear Channel radio station KTRH, Houston, partnered with the local police union to have a mayoral candidate debate focused on public safety issues. KTRH and sister station KPRC also ran a series of on-air "Town Hall" sessions with each of the candidates, allowing each candidate to discuss the issues, take listener questions and lay out his vision for the city and the future. Covering these races is important to the communities.

Beyond political coverage of news and other programming, which occurs in virtually all of its markets, Clear Channel has undertaken concrete, proactive initiatives to increase debate and participation in the political process. This political season all of Clear Channel's 37 television stations are providing five minutes of free air time in

prominent time periods to all bona fide candidates in selected races in the 30 days leading up to the election.¹⁴ As part of this initiative, for example, Clear Channel television station WOAI, San Antonio, Texas, recently broadcast a one-hour prime time election special featuring U.S. House of Representatives candidates from the San Antonio region.¹⁵

Moreover, thanks to input from its Local Advisory Boards (discussed in Section I above), Clear Channel has used its assets to assist in voter registration drives. In Cleveland, Clear Channel recently launched a program with the League of Women Voters that utilizes Clear Channel's radio, outdoor and entertainment properties to encourage audiences to vote. In San Antonio, Clear Channel launched a similar effort that also includes personal appearances by Clear Channel radio and television personalities in the community to encourage both general and youth voter registration. On a national level, Clear Channel is broadcasting PSAs in support of "Declare Yourself," a nonprofit, non-partisan youth voter's registration recruitment program founded by Norman Lear, as the program's media and entertainment partner. Clear Channel has also partnered with Project Vote Smart to educate voters by putting candidate information on Clear Channel radio and television station websites. This represents the first partnership ever done by Project Vote Smart. And Clear Channel radio stations are broadcasting PSAs and providing other on-air promotional support supporting 18 college campus voter registration recruitment festivals in 18 markets.¹⁶ The Clear Channel local stations take seriously their responsibility to provide fair and

¹⁴ See Exhibit C.

¹⁵ See Exhibit D.

¹⁶ See Exhibit C.

comprehensive election coverage which is why they voluntarily offer time to candidates, arrange debates, cover the issues and provide additional information on station web sites.

E. Programming for Minority and Underserved Audiences

Consistent with its mission to reflect the needs of its local listeners and viewers in its programming choices, Clear Channel stations constantly strive to fill the unmet needs of underserved segments of the communities they serve. As just one example, on a program level, last year Clear Channel produced a two-hour town hall program hosted by Tom Joyner and Tavis Smiley focused on issues affecting the African-American community. Guests included Attalah Shabazz (daughter of Malcolm X), Michael Eric Dyson, Congressman Jessie Jackson Jr. and the Rev. Al Sharpton. This special aired on 26 Clear Channel urban-formatted stations, and importantly, was also made available to non-Clear Channel owned stations.

Clear Channel also looks to fulfill the needs of underserved audiences in its format decisions. Within the past several months, for example, Clear Channel introduced an urban format to the Tampa, Florida market, providing a much-needed FM outlet for that format in the market.¹⁷ Several years earlier, Clear Channel brought a viable urban-formatted station to Syracuse, New York after several unsuccessful efforts by others in the past.¹⁸ Clear Channel also seeks to serve the important Hispanic market. In San Francisco, for example, KSJO-FM unveiled a new Spanish language format, “La Preciosa,” which will include the only Spanish language local morning program in the Bay Area, “El Genio Lucas,” airing Monday through Saturday from 6:00 a.m. to 11:00

¹⁷ See Exhibit E.

¹⁸ See Comments of Clear Channel Communications, Inc. in MM Docket Nos. 01-317 and 00-244 (Mar. 27, 2002), Exh. 4, at 11-12.

a.m., hosted by Alex Lucas. KSJO-FM “La Preciosa” will also air the widest catalog of Regional Mexican hot hits, appealing to the Bay Areas adult 25-54 listeners and giving listeners memories of native Mexico that is sure to make an emotional connection with its audience. These are just highlights of the decisions local programming directors make every day to improve programming to serve the often-ignored minority constituency.

Last month, Clear Channel made an exciting announcement about its plans to expand its commitment to Spanish-language programming by converting a number of stations across a full range of market sizes in the next 12 to 18 months to Hispanic formats. Clear Channel programmers led this decision, noting that the Hispanic radio audience remains largely underserved, especially outside the largest markets. Under the plan, Clear Channel Radio will significantly expand choice and availability, complementing existing Spanish-language programming in markets that currently offer Hispanic radio while introducing the highest-quality unique programming to markets that do not. Spanish-language programming varies considerably according to regional tastes. With this initiative, Clear Channel Radio will explore a wide array of Hispanic formats, including Regional Mexican, Tropical and Contemporary, among others encompassing all genres of Spanish-language music. This is a huge win for Clear Channel and for listeners of Spanish-language radio who want more and better choices. The result is that additional Clear Channel radio stations will be locally programmed to serve the needs and interests of Hispanic populations in their markets.

F. Emergency Information

Noting “the critical and fundamental role of emergency information as a component of broadcasters’ local public service obligations,” the *NOI* seeks comment on

broadcasters’ “performance in this area.”¹⁹ Providing local audiences with immediate live coverage of local emergencies is a vital part of every broadcaster’s duty to serve its community in the public interest. Here again, Clear Channel has taken a leading role.

There is perhaps no better example of Clear Channel’s role in serving its local communities during emergencies by providing life saving and community preserving information at a moment’s notice than the hurricanes in the state of Florida over the past three months. Clear Channel stations worked hard to prepare and inform local residents with regular updates and weather warnings each time a hurricane hit. When the storms cleared, Clear Channel reached out to the communities it serves to help rebuild and recover. Clear Channel radio stations in Punta Gorda, Florida were the primary news source in the immediate aftermath of Hurricane Charley. Here is what the Director of Emergency Management for Charlotte County, Florida, had to say at a media briefing in Punta Gorda:

We have a radio station. I’m going to mention it again. It’s a Clear Channel operation, they have 4 stations, 4 stations, broadcasting simultaneously, around the clock, on simulcast, emergency information. As fast as we can push it out to them, they’re putting it on the air. . . . We need to focus on that as our main means of communication to the people.²⁰

Clear Channel’s impact was felt:

the Clear Channel stations in Charlotte County . . . were lifelines to residents who sat in closets under mattresses or fled the storm in their cars or hunkered down in shelters, churches and even bars. The other two legs of the media stool – television and newspapers—were wobbled by the loss of power and the need for immediate information.

¹⁹ *NOI*, ¶ 28.

²⁰ See Exhibit F (quoting Wayne Sallade, Director of Emergency Management for Charlotte County, Florida, at an August 16, 2004, media briefing in Punta Gorda, Florida).

Radio reigned.²¹

Dozens of Clear Channel stations across Florida and across the country reached out to help the Florida communities rebuild and recover. Ten different Clear Channel radio stations in Florida, many in partnership with local businesses, raised over \$740,000 for victims of Hurricanes Charley, Frances, Ivan and Jeanne. Other Clear Channel stations, some from as far away as Maine, collected food, ice, supplies and equipment for hurricane victims. Clear Channel-New Orleans radio stations worked non-stop to promote relief efforts for victims of Hurricane Charley with five stations running PSA's and other promos around the clock to encourage New Orleans residents to donate to the American Red Cross.

Clear Channel created a website, www.stormaid.com, and sponsored an on-line auction of more than 45 guitars signed by celebrities and entertainers. Not only did the winning bidders end up with a one-of-a-kind piece of music memorabilia, they also joined Clear Channel and helped re-shape a torn community. In the end, \$79,000 – all the proceeds from the auction -- went directly to displaced families and the Red Cross.²²

Clear Channel's assistance to its communities during and after the Florida hurricanes represents just the most recent example of role its stations have played in emergency situations. When the space shuttle Columbia crashed over Central Texas in 2003, local Clear Channel news reporters were first on the scene, providing immediate reports from local debris sites to national news outlets. When wildfires were ravaging

²¹ Id. See Exhibit G (quoting Brian Gleason, columnist, *Charlotte Sun-Herald*, August 21, 2004). See also Exhibit H, "FM Stations Help With Life After Hurricane Frances," *Palm Beach Post*, Sept. 21, 2004 (describing response of Clear Channel FM stations in Port St. Lucie, Florida, during and after Hurricane Frances); Exhibit I, "Radio Days: Now the Dial Touches Back; Station Helps to Keep Battered Area Together," *Washington Post*, Aug. 17, 2004; Exhibit J, "Radio Studio on Life Support Is Lifeline for Punta Gorda," *St. Petersburg Times*, Aug. 17, 2004.

through parts of California earlier this year, Clear Channel's Talk 960 AM station in Victorville became *the* central clearinghouse for all information relating to the wildfires with everyone from city and county offices, to the local newspaper calling the station for updates on the fire's progress. Even the local cable access channel ran the audio from the station as a way to reach and inform residents. The station's staff was tireless in their efforts during the fire --- in terms of manning phones and the computers to holding a radiothon after the fire. The radiothon raised thousands of dollars to aid victims and local families.

There is no greater example of how immediate news can save lives than with the identification and arrest of the DC snipers. For weeks residents in the D.C. metropolitan area were paralyzed in fear every time they left their homes. Minutes after a police department press conference describing the suspect's car, Clear Channel Radio host Dale Sommers, of the overnight show, Truckin' Bozo, aired the excerpts of the press conference every 15-20 minutes; Sommers pleaded with listeners to call 911 if they saw a vehicle matching the description. At a truck stop, a Truckin' Bozo listener spotted the vehicle, called the police and the suspects were arrested.

Throughout the year and throughout the country, Clear Channel stations have led in the development and implementation of the Emergency Alert System and the Amber Alert system, and routinely provide immediate news and information to listeners in countless local emergency situations. Whether it is a missing child, a tornado, hurricane or a wild fire, Clear Channel stations stand ready to provide its listeners with emergency news and information and relief.

²² See Exhibit F.

III. CONCERNS ABOUT RADIO INDUSTRY PRACTICES DO NOT WARRANT GOVERNMENT ACTION.

Before the Telecommunications Act of 1996, the radio industry was plagued with problems with sixty percent of stations operating at a loss. Recognizing the importance of a vibrant and commercially viable radio market, policymakers enacted the deregulatory provisions of the Telecommunications Act and breathed new life into the radio industry. Deregulation has resulted in a radio industry that is healthier and more robust than ever before. Since deregulation, there has been a tremendous growth in choices for consumers – according to Bear Stearns, the number of radio formats has increased by 7 percent since 1996, giving listeners and advertisers access to radio stations that cater uniquely to their wants and needs. In addition, there has been a marked improvement in the quality of service to rural communities. Before deregulation, these areas often had few choices in terms of radio formats, and more limited access to new music, local news and popular entertainment programming. With deregulation, companies like Clear Channel have been able to achieve economies of scale and scope that allow us to invest more heavily in smaller markets than was historically the case.

Despite these improvements, however, critics of the law try to paint a portrait of the industry -- that bears little to no relation to the reality of the marketplace -- with Clear Channel portrayed as the chief villain. Clear Channel considers itself a leader in the radio business from our leadership in embracing of digital radio technology²³ to our focus on serving our local communities. As such, Clear Channel is proud to set the record straight.

²³ See, http://www.clearchannel.com/Radio/PressReleases/2004/20040722_CCR.pdf for announcement to pass the benefit of digital technology to its listeners by aggressively rolling out digital equipment to 1000 Clear Channel radio stations.

A. “National Playlists” and Local Artist Access

The *NOI* cites a concern—raised by a single party in the recent media ownership proceeding—about “the effect of ‘national’ playlists developed by large corporate radio owners on the access of local talent to air time.” The *NOI* thus seeks “comment on the prevalence of national playlists and their effect on localism.”²⁴

From Clear Channel’s perspective, the response is simple. The existence of “national” playlists at Clear Channel is a myth – they simply do not exist at Clear Channel. The music aired on each Clear Channel station is selected by the 900 local program directors that are connected with the individual communities that they serve. Corporate headquarters does not know the needs and wants of the local communities all across the nation. Hence it cannot and does not mandate a national playlist. A national playlist simply cannot fit into the thriving business model that Clear Channel follows. There is no other broadcaster more committed to playing the music that our listeners want to hear than Clear Channel, as discussed in Section II.

In 2003, Clear Channel radio stations spent roughly \$70 million on local audience research across all of its stations. According to the airplay monitoring service Mediabase, between 1998 and 2002 the number of unique songs played on Clear Channel radio stations increased by more than 15,315, and the number of unique artists increased by more than 3,093. Myths aside, Clear Channel station’s playlists are tailored by local programmers to reflect the changing tastes and demands of their individual audiences.

Clear Channel, moreover, is committed to finding and introducing its listeners to new, local music and artists. For example, Clear Channel’s St. Louis urban station,

²⁴ *NOI*, ¶ 39.

KATZ-FM, was approached by a group of producers seeking airplay for a local group, Nelly's St. Lunatics. After listening to the group's material, the station's program director walked into the studio and put a song, "Gimme What You Got," on the air. The song became a local hit, and subsequently Nelly signed a record contract. Clear Channel radio stations in some 70 markets air programs specifically showcasing new local talent.

In Nashville, for example, Clear Channel was responsible for the regional competitions for the "Nashville Star" talent contest, the country radio version of "American Idol," which awards a recording contract to a new country artist. Open auditions were held in 17 markets and promoted by Clear Channel country stations in those markets and others. The winner of Nashville Star, Brad Cotter signed a recording deal with Sony Music and just released his first single, "Patient Man." In addition, Clear Channel has harnessed the promise of the Internet as a means of finding new talent by establishing the New Music Network, an Internet-based system whereby new artists can upload their songs without charge for play on eight commercial-free streaming channels. The New Music Network is designed to give burgeoning artists an avenue for exposure to record labels and program directors. Over 20,000 new bands and artists have accessed the New Music Network, which has logged roughly two million unique users.

B. Payola

The *NOI* observes that "payola-type practices are inconsistent with localism when they cause radio stations to air programming based on their financial stakes at the expense of their communities' needs and interests."²⁵ Clear Channel agrees. That is why Clear Channel has, and always has had, a zero tolerance policy for pay-for-play. In fact,

²⁵ *NOI*, ¶ 35.

Clear Channel feels so strongly about this concern that it has no ties with independent record promoters.²⁶ Music selection at Clear Channel stations is and has always been based solely on the preferences of the local audience, as determined through local management's experience with the community and extensive market research on what local listeners want to hear. Clear Channel severed all relationships with independent promoters to avoid even the appearance that its music programming decisions might be based on anything else.

C. Voice Tracking

The *NOI* expresses concern about “voice tracking,” which it defines (citing press accounts) as “the practice of importing ‘popular out-of-town personalities from bigger markets to smaller ones, customizing their programs to make it sound as if the DJs are actually local residents.’”²⁷ In Clear Channel's view, certain press accounts and inaccuracies purveyed by certain advocates have artificially created a view of “voice tracking” as a threat to localism that in fact does not exist. Clear Channel considers voice tracking as facilitating universal service in the media marketplace. As such, Clear Channel employs this technology in order to provide services to small and rural markets that otherwise might not be financially or geographically positioned to obtain talent on their own.

“Voice tracking” is no more than a slight extension of technology that has existed in the radio industry for decades, including prior to the 1996 Act. From almost the beginning of audio recording technology, radio stations have prerecorded voice material for later broadcast. For years, it has been commonplace for one or more of a radio

²⁶ See Exhibit K.

station's music/personality programs to have been recorded in a studio for hours or days in advance of actual broadcast. Partially or fully automated radio stations have operated for decades, with prerecorded news, weather, commercials and even air personality segments inserted automatically.

Contrary to the impressions left by some accounts, however, voice tracking is not a practice that Clear Channel stations employ prevalently, or even frequently. Approximately 9% of dayparts on Clear Channel radio stations are "voice tracked," and where voice tracking occurs, it is typically during evening and overnight hours and weekend "swing shifts." A significant amount of voice tracking occurs within markets, as opposed to between different markets. And where Clear Channel utilizes voice tracking, the practice does not detract from localism in any sense. Listeners enjoy the content. If they did not, Clear Channel stations would choose not to avail themselves to the voice tracked content, or risk losing dissatisfied listeners who can simply turn the dial and tune the station out. Voice-tracked personalities are made familiar with the market in which they will be heard, and discuss local issues and events in their broadcasts. Finally, Clear Channel's radio stations are staffed 24 hours a day, seven days a week, by local station staff, even during times when voice-tracked programs are airing. In short, Clear Channel does not believe that voice tracking poses any danger to localism, let alone one warranting regulation.

IV. GIVEN THE CLEAR EVIDENCE THAT LOCALISM IS THRIVING, ADDITIONAL REGULATION IS NOT NECESSARY.

The *NOI* asks whether "new procedures [are] needed to strengthen our license renewal process to ensure that the station at issue has served in the past, and will continue

²⁷ *NOI*, ¶ 38 & n.94.

to serve in the future, the needs of its community of license.”²⁸ The Commission acknowledges that Congress has already narrowed its authority in this regard, and any revision to the license renewal process requires a new grant of congressional authority. This notwithstanding, the Commission has the broad mandate of determining whether or not a broadcast licensee has served the public interest in assessing its eligibility for renewal. And as these comments show demonstrate, localism cannot be federally defined or constricted by a static set of government derived criteria. The fact is that service to local communities is thriving among broadcasters in general, and Clear Channel stations in particular, through a myriad of activity and programming. There is no need for the Commission to take regulatory action.

In particular, it is unnecessary for the Commission to impose additional procedures in the license renewal process. Indeed, the Commission has already concluded additional regulations are burdensome to broadcasters and hamstringing them in their ability to serve the public interest. At one time, the Commission had imposed formal community ascertainment requirements on broadcasters, mandated the retention of program logs for public and Commission oversight, and employed quantitative guidelines on the amounts of news, public affairs, and other non-entertainment programming to be aired by stations. In 1981, however, the Commission eliminated these requirements for radio stations.²⁹ It did the same for television stations in 1984.³⁰ In doing so the Commission concluded:

We believe that given conditions in the radio industry, it is

²⁸ *NOI*, ¶ 42.

²⁹ See Radio Deregulation Order, 84 F.C.C.2d 968 (1981).

³⁰ See Revision of Programming and Commercialization Policies, Ascertainment Requirements, and Program Log Requirements for Commercial Television Stations, 98 F.C.C.2d 1075 (1984).

time to heed that sentiment and to reduce the regulatory role played by Commission policies and rules, and to permit the discipline of the marketplace to play a more prominent role. It is our conclusion that the regulations we are retaining and the functioning of the marketplace will result in service in the public interest that is more adaptable to changes in consumer preferences and at less financial cost and regulatory burden.

* * *

. . . [I]n most instances we believe that generalized requirements that permit licensees to respond to market forces within broad parameters are warranted in radio broadcasting. Simply stated, the large number of stations in operation, structural measures, and listenership demand for certain types of program[s] (and for limitations on other types of programming . . .) provide an excellent environment in which to move away from the content/conduct type of regulation that may have been appropriate for other times, but that is no longer necessary in the context of radio broadcasting to assure operation in the public interest.³¹

The Commission's determinations then remain as much, if not more, true today in the highly competitive broadcast marketplace. Additional regulatory processes—reporting, midterm reviews, public file audits³²—create burdens that only serve to divert time and resources from licensees' primary objective of providing the best possible broadcast service to their local communities. The imposition of such burdens would require compelling evidence of a problem in the area of broadcast localism. As the evidence in these comments and the comments of other broadcasters in this proceeding will show, no such case exists.

³¹ *Id.* at 1014.

³² Clear Channel does not discount the importance of quarterly issues/programs lists and the maintenance of a public file—requirements that are vital to facilitate listener review of a station's public interest performance. The Commission's public file requirements are in place, however, and the Commission regularly enforces them through inspections and sanctions for noncompliance. It is difficult to discern what would be accomplished through FCC "audits."

V. CONCLUSION

Clear Channel radio and television stations strive to operate in a manner that enables them to maintain and enhance their audience. Localism is the main ingredient for a successful broadcast business. Our stations offer locally originated or locally targeted programming that meets the needs of the communities they serve. As a result, localism in broadcasting is alive and well. Contrary to proponents of additional regulation, a national definition of localism is not necessary. Indeed, such an approach is quite harmful and turns the concept of “localism” on its head by thwarting broadcasters’ efforts to serve their communities. Broadcasters want to provide local communities with news and information, public affairs programming, PSAs, and political programming – as well as entertainment. A competitive marketplace where a local station determines what will meet the needs of its community is the answer. The Commission should decline the invitation of a vocal minority to saddle the broadcasting industry with unnecessary additional regulations (that have not worked in the past) that put broadcasters on an uneven playing field with its competitors. Should the Commission go down this wrong path, it will be detrimental to the operation of every broadcast station who will be forced to allocate precious and limited resources from where it thinks and knows would be most beneficial to the communities they serve to what the federal government deems appropriate. The Commission is right in its desire to ensure that licensees are meeting the goal of serving the public interest. As it will see, however, localism in broadcasting is being achieved with flying colors, and no additional regulatory action is necessary to assure it.

Respectfully submitted,

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EXHIBIT A

Form: [All Guided Search Forms](#) > NewsTerms: (verizon and sbc and video and fiber) and date geq (10/01/2004) ([Edit Search](#)) Select for FOCUS™ or Delivery*Business Week November 1, 2004*Copyright 2004 The McGraw-Hill Companies, Inc. <http://www.mcgrawhill.com>

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Business Week

November 1, 2004**SECTION:** News: Analysis & Commentary: TELECOMMUNICAT; Pg. 36 Vol. 3906**LENGTH:** 1608 words**HEADLINE:** CABLE VS. **FIBER**;In the titanic battle to control the flow of data to U.S. households, the Bells fight back by offering **video** via phone lines**BYLINE:** By Catherine Yang in Washington, with Tom Lowry in New York, Roger O. Crockett in Chicago, Peter B**BODY:**

In the long-running contest for the digital future, cable has been hitting home runs while the telecoms are just coming to bat. In the last eight years, the cable guys have spent \$85 billion to tie fast digital pipes to the home. With their bolstered capacity, they offer hundreds of channels of **video**, movies on demand, high-definition TV, and, of course, high-speed Net access. And in their most direct challenge to the Baby Bells yet, cable providers are aggressively pushing digital phone service over their networks.

It's enough to give a telecom exec an anxiety attack. But now the Bells are gearing up to fight back. Just as the cable industry is going after telecom's bread-and-butter voice business, the Bells are about to wage war on cable's home territory: **video**. Their ace: Ultrafast **fiber**-optic networks that match or surpass the capacity of cable's digital system. On Oct. 21, **Verizon** Communications Inc. was expected to announce plans to build **fiber** systems in six Eastern states from Massachusetts to Virginia. Along with lines **Verizon** is already stringing in Texas, Florida, and California, the company expects to bring **fiber** connections directly to 3 million homes with expensive, state-of-the-art technology by the end of 2005. The estimated cost: \$2.4 billion. A week earlier, **SBC** Communications Inc. said it will accelerate its \$4 billion to \$6 billion **fiber** network build-out using less expensive technology; it plans to reach its goal of wiring 18 million homes, or more than half those it serves, by 2007.

The endgame isn't yet clear. Faced with the steep costs of fiberizing their networks, the two big telecoms haven't decided whether to try to match cable's reach: That industry already has the pipes in place to serve some 90 million households nationwide. Even so, with the Bells' **fiber** push, two behemoth industries are locked in a titanic battle to control the flow of digital data to American households -- be they TV signals, telephone calls, or Web pages. Today, those services are a \$134.5 billion market, according to researcher Yankee Group. But

with **fiber's** enhanced bandwidth and the promise of services no one has yet dreamed of, that spending is almost sure to grow.

As early as 1996, with passage of the Telecommunications Act, many envisioned that cable companies would sell phone service and telecoms would sell TV packages. But only now, after many failed attempts in the last decade or so, are these industries truly going head-to-head: Cable can already serve all the homes **Verizon and SBC** want to equip with **fiber**.

The Federal Communications Commission helped set off the contest with a series of decisions -- most recently on Oct. 14 -- freeing the Bells to make massive investments in **fiber** without having to lease portions of their networks to competitors at a discount. Now, by replacing miles of old copper wires with superfast **fiber**, the Bells can deliver to consumers telephone dial tones, high-speed Web access, and, for the first time, TV shows, to fend off cable operators offering the same bundle. ``We want to build a network that's future-proof," says Mark A. Wegleitner, **Verizon's** chief technology officer. ``**Fiber** is the right answer."

UNDER ASSAULT

It's an expensive bet with no guaranteed return. Digging up streets and flowerbeds to install **fiber** is costly, ranging from \$300 to more than \$2,000 per home, depending on the technology, according to Carnegie Mellon University. Some telecoms have already lowered their sights. After failing to generate adequate returns by offering TV over **fiber**-to-copper networks in Colorado and Arizona, the No. 4 Bell, Denver-based Qwest Communications International Inc., is sitting out the current craze. CEO Richard C. Notebaert says he's willing to install **fiber** only in new housing developments. ``When you go in to do a tear-up or an overlay, the economics don't work," he says. Instead, Qwest is betting on upcoming WiMax wireless data transmission.

Other phone companies argue that they have little choice. With their core local-calling business under assault from wireless phones and now voice-over-Internet, the Bells' local phone revenues declined by \$15 billion from 2001 to 2004 -- a drop of 7% a year -- according to UBS Warburg. And now that Cablevision Systems, Time Warner Cable, Cox Communications, and other cable companies are beginning to offer phone service over their pipes, the Bells' losses will accelerate. By 2008, nearly 20 million subscribers will route their phone calls over cable, up from 2.8 million at the end of last year, according to estimates by market researcher IDC.

Even as the telecoms unspool their **fiber**, aggressive cable players are already feasting. Bethpage (N.Y.)-based Cablevision Systems Corp., which will go toe-to-toe with **Verizon's fiber-to-the-home** rollout, was the first cable operator to offer voice-over-Internet to its entire 4.4 million home market in the New York City area last year. And Atlanta-based Cox provides phone service to 1.1 million of its 6.3 million subscribers by offering 10% discounts on local phone carriers' rates. Tom Rutledge, Cablevision's chief operating officer, predicts that ``it's going to take [the Bells] 10 years" to catch up.

That may be an exaggeration. Yet there's little doubt the telecoms are struggling to stay in the race. **Verizon** has opted for an ambitious and costly plan -- building **fiber** directly to the home at an estimated cost of \$800 per household. On its all-**fiber** network in Keller, Tex., **Verizon** is already offering a \$54.95-a-month package of phone and Internet service at speeds up to 30 megabits per second -- about 10 times faster than most cable modems. **Verizon** claims it could hike that speed to a sizzling 100 mbps networkwide -- though it won't try until new applications demand it.

In contrast, **SBC** is taking the more cost-efficient option of extending **fiber** lines into neighborhoods -- but not to individual homes. Cable operators take a similar approach,

building **fiber** to neighborhoods and then connecting to homes using coaxial cable. **SBC's** strategy, which costs about \$300 per household, uses a souped-up version of today's DSL technology to speed signals across copper wires in the final stretch, delivering data to the house at up to 25 mbps. "I don't know why a customer would need 100-megabit speeds that transfer the Library of Congress in a second," says **SBC** Chief Executive Edward E. Whitacre Jr. No. 3 telecom BellSouth Corp. is implementing a similar strategy to serve about 1.3 million homes by next year.

NEXT STEP: CONTENT

No matter where the **fiber** ends, the Bells say their systems will thrill digitized households. The picture they paint: Sis and Mom could be watching separate bandwidth-hogging high-definition TV shows while Junior plays a graphic-rich Web-based **video** game and Dad chats on the phone. At the same time, a TiVo-like device could be recording two other HDTV channels.

Cable execs say they can match that, but the Bells claim their technology gives them an advantage. Rather than broadcasting 500 channels at once to a mass audience, as cable does, the Bells will store programming at a central server to send upon an individual user's request. The result, the Bells say, will be personalized content for micro-audiences: a local high school could load **video** of its football games for Moms and Dads to view, when they want, in a specific town.

Sounds nifty. But to make money, the Bells will have to offer top-tier entertainment. Both **Verizon and SBC** will launch cable-like TV services next year. **Verizon** has hired cable-programming exec Terry Denson from Insight Communications Co., the ninth-largest cable company, to line up programming. And **Verizon's** partnership with satellite provider DirecTV Group and **SBC's** with Echostar Communications give each a taste of the TV biz. Yet the telecoms may be in for a rude surprise. Media execs note that delivering *Desperate Housewives* is a lot trickier and costlier than delivering a dial tone. Says Time Warner Inc. CEO Richard D. Parsons: "Content is expensive."

Whether or not the Bells ever make money with TV offerings, it's clear that Web-surfing, phone-addicted couch potatoes will be the big winners. With both cable and phone companies offering everything digital all the time, consumers will be bombarded with more choice -- and maybe even lower prices. Imagine that.

Pipes Aplenty

The battle to provide digital TV, Web access, and phone service to U.S. households is heating up:

FIBER-TO-CABLE

Speed: 10mbps*

System: A combination **fiber**-optic and cable network.

Services: Internet access, phone, and 500 television channels in addition to HDTV and **video**-on-demand.

Build-out cost: \$1,200 per household.

Status: Coming to about 90 million households for \$90 to \$150 per month.

FIBER-TO-THE-CURB

Speed: 25mbps

System: **Fiber** optics to a local hub. Beefed-up copper phone wires are last link to homes.

Services: Integrated Net access, phone, and **video** on one screen, plus interactive services that give viewers control of such things as camera angles.

Build-out cost: \$300 per household.

Status: Available to 18 million **SBC** customers by late '07. BellSouth plans a more limited build-out. Price comparable to cable.

FIBER-TO-THE-HOME

Speed: 30mbps

System: **Fiber**-optic lines installed directly into homes.

Services: Offerings similar to planned **SBC** service plus videophone capabilities. Many applications yet to be determined.

Build-out cost: \$800 per household.

Status: Available to 3 million **Verizon** homes by late 2005. Price also in line with cable.

* megabits per second

Data: National Cable Television Assn., Yankee Group, and company reports

GRAPHIC: photograph, Photograph: GLOWING PICTURE HDTV, graphic-rich Web games, phone calls, and more carried on one hair-thin line PHOTOGRAPH BY FRED

WARD/STOCKPHOTO.COM

photograph, Photograph: DOWN THE ROAD Analysts say 20 million will get phone over cable by 2008 PHOTOGRAPH BY PHILIP GOULD

LOAD-DATE: October 28, 2004

Form: [All Guided Search Forms](#) > News

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EXHIBIT B

NATIONAL AWARDS

Edward R. Murrow Awards (2004)

Radio Large-Market

Investigative Reporting: KOA-AM, Denver, Emergency Alert: Flawed System

Radio Small-Market

Continuing Coverage: WRVA-AM, Richmond, VA, Hurricane Isabel

Spot News Coverage: WGY-AM, Albany, NY, The Capsizing of the Stellamare

KFI – Los Angeles

R&R Industry Achievement Awards

John Kobylt & Ken Champiou – Nominated for Local Talk Hosts of The Year

WLW – Cincinnati

R&R Industry Achievement Awards

Bill Cunningham – Nominated for Local Talk Host of the Year
Station of the Year 2002

Marconi Awards – National Association of Broadcasters

Jim Scott – Large Market Air Personality of the Year

Edward R. Murrow Award

Continuing News Coverage (Cincinnati Riots)

CLEAR CHANNEL CORPORATE

R&R Industry Achievement Awards

Gabe Hobbs – Nominated for Executive of the Year

PREMIERE RADIO NETWORKS

R&R Industry Achievement Awards

Kraig Kitchin – Nominated for Executive of the Year

Glenn Beck – Nominated for Syndicated Talk Host of the Year

Rush Limbaugh – Nominated for Syndicated Talk Host of the Year

Michael Reagan – Presidential Appointee for the National Moment of Remembrance, September 11, 2002

Dr. Laura Schlessinger – Made Woman of the Year in 2002 by the Clare Booth Luce Policy Institute in Washington, DC.

Michael Reagan – Cut the ribbon on the USS Ronald Reagan in October 2002

Dr. Laura Schlessinger – In August of 2003 she will receive the Hall of Fame Award from the Families Supporting Adoption organization.

WGST – Atlanta, Georgia

Edward R. Murrow Awards

Best Spot News

KOA – Denver, Colorado
Edward R. Murrow Awards
 Best Investigative Reporting
 Best Newscast
 Best Feature
ABC Radio Network
 Affiliate of the Year Nominee
 Reporter of the Year Nominee
R&R Industry Achievement Awards
 General Manager of the Year – Lee Larsen

KTRH – Houston, Texas
R&R Industry Achievement Awards
 Programmer of the Year Nominee – Ken Charles
ABC Radio Network
 Affiliate of the Year
 Spot News Coverage
Edward R. Murrow Awards
 Regional Overall Excellence
 Newscast
 Continuing Coverage of Tropical Storm Allison
 Website

KOGO – San Diego
Edward R. Murrow Awards
 1st Place – Spot News

WTAM – Cleveland, Ohio
Edward R. Murrow Awards
 Overall Excellence
 Best Newscast
 Best News Series
 Best Sports Reporting

KEX – Portland, Oregon
Edward R. Murrow Awards
 Continuing News Coverage
 Spot News
 Use of sound
 Sports Reporting

WHAS – Louisville, Kentucky
Edward R. Murrow Awards
 Legendary Station of the Year Nominee for 2002

WISN – Milwaukee, Wisconsin

Marconi Awards – National Association of Broadcasters
Best Air Personality – Mark Belling

WGY – Albany, New York
Marconi Awards – National Association of Broadcasters
News/Talk Station of the Year Nominee
Edward R. Murrow Awards
Best Spot News Coverage
Best Continuing News Coverage
Overall Excellence

WERC – Birmingham, Alabama
National Sportscasters & Sportswriters Assn of America
Paul Finebaum – Sportscaster of the Year for Alabama 2001 & 2002

WHO – Des Moines, Iowa
Van & Bonnie Morning Show nominated by National Association of Broadcasters
as Medium Market Personalities of the Year for 2002.

WHAM – Rochester, New York
Edward R. Murrow Awards
Best Newscast (The WHAM 5 O'clock News)

KLVI – Beaumont, Texas
Marconi Awards – National Association of Broadcasters
Small Market Personality of the Year – Al Caldwell

STATE AWARDS

KFI – Los Angeles, California
RTNA Golden Mike Awards
Best Serious Feature (2001 & 2002)
Best Light Feature
Best newscast under 15 minutes (2001 & 2002)
Best economic reporting

WLW – Cincinnati, Ohio
Outstanding Sports Operation 2002 by Associated Press
Best Continuing News Coverage 2002 by Associated Press
Best Documentary 2002 by Associated Press

WGST – Atlanta, Georgia
Associated Press
Best Newscast
Best Spot News Coverage

Best Staff Coverage
Best Sports Play by Play
Best Sports Program
A.I.R. Awards
Best Sports Coverage
Best Spot News Coverage
Best Morning Show
Best Station Image
Best Advertising Campaign
Georgia Association of Broadcasters
Award of Merit

KOA – Denver, Colorado
Associated Press
Best Newscast
Best Sportscast
Best Investigative Reporting
Best Feature
Best Spot News
Best General Reporting
Best Sports Special
Colorado Broadcasters Association
Station of the Year (4 years in a row)
Best Morning Show
Best Afternoon Show
Best Sports Broadcast
Best Newscast
Best Feature
Best Spot News

KTRH – Houston, Texas
Associated Press
Best News Anchor or Anchor Team
Best Reporter
Best Sports Play by Play
Houston Press Club
Radio Journalist of the Year
Best Spot News
Best Investigative Reporting
Best Newscast in a Major Market
Best Sports Reporting
Best Talk Show

KOGO – San Diego, California
SoCal Golden Mike Awards
Best Live Coverage of a News Story

- Best Original News Commentary
- Society of Professional Journalists
 - Best Spot News
 - Best Newscast
 - Best News Series
 - Community Service Award for Teen Education
 - Overall excellence award
- A.I.R. Awards
 - Best Talk Show Host
 - Best Spot News Coverage
 - Best Commercial
 - Best Station Image
- Tariq Khamisa Foundation
 - Ghandi Non-Violence Award “KOGO 4 Kids”
- San Diego Press Club
 - Best Breaking News Coverage
 - Best Talk/Interview Program
 - Best Use of Sound
 - Best Feature (KOGO 4 Kids)
 - Best Specialty Reporting (Health Education)

KFYI – Phoenix, Arizona

- Associated Press
 - Best Newscast
 - Best Special Programming

WIOD – Miami, Florida

- Associated Press
 - Best Sports Coverage
 - Best Public Affairs Programming
 - Best Newscast over 5 minutes
- A.I.R. Awards
 - Best Spot News
 - Best Traffic Reports
 - Best Public Affairs Series

WRFX – Miami, Florida

- A.I.R. Awards
 - Best Talk Host
 - Best Sports Report

WTVN – Columbus, Ohio

- Associated Press
 - Outstanding News Operation (4th in seven years)
 - Best Regularly Scheduled Newscast
 - Best Reporter
 - Best Sportscast

Best Feature Report
Cleveland Press Club
Best Investigative Report
Best On-Going Coverage

WTAM – Cleveland, Ohio

A.I.R. Award
Community Service Award (Bill Wills)
Best Talk Show Host
Best Traffic Reporter
Best News Reporter
Best Newscaster
Best Spot News
Best Sports Anchor
Best Sports Reporter

Associated Press

Best Regularly Scheduled Newscast
Best Spot News
Best Investigative Reporting
Best Regularly Scheduled Sportscast
Best Web Site
Best Sports Broadcaster

Cleveland Press Club

Best Radio Newscast in Ohio
Best Spot News Coverage

KEX – Portland, Oregon

Associated Press

Overall Excellence
Best Newscast
Best Spot News
Best Treatment of a Single Subject
Best Sports
Best Traffic Reporting
Best Commentary

WGY – Albany, New York

Associated Press

Best Continuing News Coverage

N.Y. State Broadcasters Assn.

Outstanding Spot News

WRVA – Richmond, Virginia

Associated Press

Best Documentary or In-Depth Coverage

Best Coverage of a Continuing Story

WHO – Des Moines, Iowa

The Iowa Broadcast News Awards

Overall Excellence

Best Newscast

Best Series Reporting

Best Sports Reporting

Associated Press Awards

Feature Reporting

Sports Reporting

Technical Excellence

Overall Excellence

WISN – Milwaukee, Wisconsin

A.I.R. Awards

Best Newscaster

Wisconsin Broadcasters Assn.

Best Spot News Coverage

Best News Series

Best Promotional Announcement

WHAS – Louisville, Kentucky

Kentucky Farm Bureau

Price Allan named Broadcaster of the Year

Kentucky Broadcasters Association

Price Allan named Broadcaster of the Year

Associated Press

Sportscaster of the Year for Tony Cruise

Best Breaking Spot News

Best Regularly Scheduled Live Newscast

Cooperation Award

Society of Professional Journalists

Reporting

WREC – Memphis, Tennessee

A.I.R. Awards

Best Station Image

WERC – Birmingham, Alabama

Associated Press

Sports Anchor of the Year (Paul Finebaum won 5 out of the past 7 years)

Best General Sports Program (6 out of last 7 years)

WOOD – Grand Rapids, Michigan

Michigan Association of Broadcasters Excellence Awards

Best Newscast

Best Sports Play by Play

Best Breaking News Coverage

WOC – Davenport (Quad Cities), Iowa
Iowa Broadcast News Association
Best Newscast
Best Spot News Coverage

WKBN – Youngstown, Ohio
Associated Press
Best Reporter
Best Continuing Coverage
Best Feature
Best Sports Broadcast
Best Coverage of Scheduled Event
Best Writing
Best Regular Newscast

WHAM – Rochester, New York
Associated Press
General Excellence
New York State Broadcasters Association
Best Newscast
Best Sportscast
Best Feature Reporting

WHP – Harrisburg, Pennsylvania
Associated Press
Best Regularly Scheduled Newscast
Best Sports Feature
Best Enterprise News

WTAG – Worcester, Massachusetts
Associated Press
1st Place: Breaking News Coverage
1st Place: Best Morning News Program

WMT – Cedar Rapids, Iowa
Associated Press
Best Newscast
Best General Reporting

KASI – Ames, Iowa
The Associated Press
Best Sportscast
Best Play By Play
Best Sports Program

Iowa Broadcast News Association
Best Spot News Coverage
Best Political Coverage
Best Sportscast
Best Play by Play
Best Sports Program

KMNS – Sioux City, Iowa
The Associated Press
Outstanding Service Award

KTOK – Oklahoma City, Oklahoma
Oklahoma Association of Broadcasters
Best General News
Best News Features

WWNC – Asheville, North Carolina
Associated Press
Best Spot News
Best General News
Best Enterprise Reporting
Best Sportscast
Best Sports Programming
Best Use of Sound
Best Health Report
Outstanding News Operation

WBEX – Chillicothe, Ohio
Associated Press
Best Sportscaster – Mike Smith
Best Newscaster – Matt Bruning
Best Spot News Coverage
Outstanding News Operation
Outstanding Sports Operation
Best Web Site
Ohio High School Athletic Assn.
Dan Ramey – Sportsman of the Year

EXHIBIT C



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Clear Channel Communications Supports Democratic Process with Broad Based Initiatives

*Local Radio, Television and Internet Properties Offer In-Kind Media and Free
Air-time to Candidates*

*Broad Spectrum of Initiatives Encourage Voters to Participate in
National and Local Elections*

San Antonio, Texas, October 13, 2004 – Media and entertainment company Clear Channel Communications Inc. (NYSE: CCU) today announced a series of ongoing initiatives that support the democratic process, culmination with the election this November. The company is enacting a variety of strategic initiatives across its divisions and in some instances in partnership with independent organizations.

“Clear Channel is contributing more resources and manpower to getting out the vote and covering the upcoming election process, the candidates involved and the issues that will impact voters’ decisions,” said interim CEO Mark Mays. “These initiatives are part of our ongoing commitment to serving our local communities and we are pleased to be able to leverage all of our media assets in concert to achieve this goal.”

Local and National Election News Coverage

Clear Channel is committed to providing communities with extensive election news coverage and public affairs programming. Specifically, Clear Channel Radio sent a team of reporters and technicians to both the Democratic and Republican National Conventions and transmitted daily customized audio reports and text to all of its 125 news bureaus throughout the country.

“By having a heavy presence at the National conventions, we are ensuring that our local markets receive customized reports on the issues and candidates that are important to them,” said Gabe Hobbs, Vice President of Programming for Clear Channel Radio. “Our locally focused

coverage will continue throughout the election process through original news gathering and reporting.”

Further, Clear Channel’s 37 television stations are providing 5 minutes of free air time, in prominent time periods to all bona fide candidates in selected races in the 30 days leading up to the general election. In addition, newsrooms will continue to provide expanded local political coverage aimed at providing perspective and depth to help viewers understand the positions of candidates and issues and Clear Channel will facilitate and broadcast town hall meetings and candidate debates, including questions from viewers and candidate interviews. When appropriate, programming will be shared with Clear Channel Radio stations and content will be augmented on the Web, including polling and voting information, candidate bios and statements and extensive election web content provided by Clear Channel Television Interactive.

“We are utilizing all of our resources in an effort to provide citizens with comprehensive coverage of the issues and the candidates,” said Steve Minium, Senior Vice President, News and Marketing, Clear Channel Television. “This level of in-depth coverage is unprecedented and underscores our commitment to supporting the voting process.”

Get Out the Vote

As a direct outcome of Clear Channel’s local advisory board program, where local management from each of the company’s operating units organize regular forums for discussion with local community representatives, cross-divisional voter registration drives have been developed that leverage Clear Channel’s media properties to get out the vote. In Cleveland, Clear Channel recently launched a program with the League of Women Voters that utilizes Clear Channel’s radio, outdoor and entertainment properties to encourage audiences to vote. In San Antonio, the company launched a similar effort that also includes personal appearances by Clear Channel radio and TV personalities in the community, to encourage both general and youth voter registration. The goal: to empower voters of all stripes to exercise their democratic freedoms.

As the media and entertainment partner for *Declare Yourself* (www.declareyourself.com), a nonprofit, non-partisan youth voter’s registration recruitment program founded by Norman Lear, Clear Channel is creating and implementing a series of initiatives across its radio, outdoor and entertainment divisions as part of a year-long public awareness program that educates young people about the importance of civic engagement and voting. Clear Channel’s initiatives include radio promotion spots, billboards and voter registration tables at live entertainment venues where people can register to vote on the spot. In addition, Clear Channel Radio is supporting 18 college campus voter registration recruitment festivals in 18 markets, including on-air announcements, live remotes, interviews, Web site banner ads, and other promotions. Premiere Radio Networks will also record "go vote" liners to be made available to over 2,000 radio stations, including non-Clear Channel stations, from celebrities such as Alyssa Milano, Carson Daly, Hilary Duff, LL Cool J and many others.

"As of today, more than 800,000 people have downloaded voter registration forms from the Declare Yourself Web site and our partnership with Clear Channel has certainly contributed to this amazing number," said Norman Lear, founder, Declare Yourself. "Now, the most challenging stage is upon us - to ensure that those who registered actually go to the polls on November 2."

Clear Channel also continues to be a supporter of Citizen Change, a non-partisan, non-profit organization with a mission to educate, motivate and empower millions of young Americans to access their power and vote on November 2nd. Specifically, Clear Channel Radio's Z-100, New York's #1 Hit Music station, has been promoting CitizenChange.org, urging listeners to visit the site and register to vote.

As part of Clear Channel's historic \$120 million commitment to the Ad Council made earlier this year, one of the many Ad Council campaigns running on Clear Channel media properties will include the "VOTE" campaign. The "VOTE" campaign is a strong call-to-action for voter registration and is currently being run in Washington, Baltimore, Daytona Beach, Milwaukee, Tucson, Houston, Philadelphia, Chicago and Wichita, with more markets expected to be rolled out as the election approaches.

"We are incredibly grateful to Clear Channel for recognizing the importance of encouraging citizens to exercise their right to vote," said Peggy Conlon, President and CEO of The Advertising Council. "With collaborations such as these we can continue to move the needle on many important issues facing our country."

Finally, Clear Channel Contemporary Hits Radio stations throughout the United States also sponsored The Ashlee Simpson and Ryan Cabrera Rock, Vote and Win Contest in September 2004. The contest empowered teens across the country to get eligible voters in their communities registered to vote. The grassroots campaign encouraged teen listeners to visit their local Clear Channel Radio station Web sites where they were able to access resources to help register their parents, friends over 18, and members of their community to vote in the upcoming election. In exchange, teens that registered on the sites were entered into a drawing for a chance to win a concert with Simpson and Cabrera at their local high schools. Ten lucky winners have been selected at random and the concerts are planned for the month of October.

About Clear Channel Communications

Clear Channel Communications, Inc. (NYSE:CCU) is a global media and entertainment company specializing in "gone from home" entertainment and information services for local communities and premiere opportunities for advertisers. Based in San Antonio, Texas, the company's businesses include radio, outdoor displays, live entertainment events and venues, and television stations. See us on the web at www.clearchannel.com.

###

Certain statements in this release constitute "forward-looking statements" within the meaning of the Private Securities Litigation Reform Act of 1995. Such forward-looking statements involve known and unknown risks, uncertainties and other factors which may cause the actual results performance or achievements of the Company to be materially different from any future results, performance or achievements expressed or implied by such forward-looking statements.

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EXHIBIT D



October 12, 2004

REQUEST FOR COVERAGE

For information contact: Greg Derkowski
Phone: (210) 476-1072
Fax: (210) 281-9857
<mailto:gregderkowski@woai.com>

News 4 WOAI to Broadcast Primetime Election Special Wednesday October 13



News 4 WOAI (NBC, San Antonio) will broadcast a one hour primetime election special on Wednesday October 13, 2004, from 7-8pm.

The special will feature U.S. House of Representatives candidates from the San Antonio region. Each candidate will receive equal time – a total of five minutes of air time. The first four minutes will be in a “question and answer” styled format. The final minute will include a statement from each candidate.

“Our goal is to educate San Antonians on the issues and the candidates. These are local races with local relevance and they deserve primetime coverage. This is exactly the kind of prominent coverage that a variety of civic leaders have requested through our local Clear Channel San Antonio Advisory Board”, said **Brooks Hogg**, station manager at News 4 WOAI.

Candidates scheduled to appear

District 28: Henry Cuellar (D) v. Jim Hopson (R)
District 23: Joe Sullivan (D) v. Henry Bonilla (R)
District 25: Lloyd Doggett (D) v. Rebecca Armendariz-Klein (R)
District 20: Charlie Gonzalez (D) v. Roger Scott (R)
District 21: Rhett Smith (D) v. Lamar Smith (R)

The special will be anchored by **Randy Beamer** and **Tanji Patton** (pictured).

XXX

EXHIBIT E



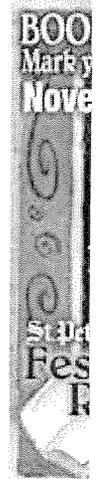
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- Obituaries
- Opinion
- Pasco County
- South Pinellas
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- State
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- City Times
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- Buccaneers
- College football
- Devil Rays
- Lightning

They've got the Beat

After years of making do with few options, Tampa's black radio listeners have a successful new home on the FM dial.

By RODNEY THRASH
Published October 4, 2004

TAMPA - When Thea Moore moved to the Tampa Bay area seven years ago, she had one question on her mind.

"What's wrong with this place?" asked the 32-year-old pharmacist and New Tampa resident. "There's no black radio station.

"For a city of this size (2.3-million in 1997) and this number of black people (204,979), I expected there to be better radio than what Tampa had to offer."

Moore grew up in Chicago, where there are a plethora of radio options for black people. On the FM side alone, she can choose between WGCI, WVAZ, WSRB, WPWX, WKKC or WNUA for hip-hop, old and new school R&B and more. And if she gets sick of those, there's always WVON on the AM dial.

"Even Kansas City (the place Moore lived before moving to Tampa) had better radio," she said.

Moore made do with what Tampa offered. She'd flip between WTMP-AM,



[Times illustration: Rossie Newson]

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the area's only black-owned radio station, and WLLD-FM, which touts itself as radio's version of MTV.

But depending on what part of the city she was driving in, WTMP's signal would fade. And Wild offered too much hip-hop and too little R&B. Sometimes, she said, she would give up and "start riding around not listening to anything."

That was before 95.7 the Beat came along last November.

* * *

Inside Clear Channel's Gandy Boulevard office, the Olivia Fox Morning Team - Fox, Big Mike, G.C. the O.G. and Cristyle - is having a little bit of church. It's Talent Tuesday, the one day that singing and rapping wanna-bes have their chance at 20 seconds of fame. The caller on the phone goes by the name Joy.

"I'm going to take you to church this murnin'," the caller said.

"This murnin'?" Fox asks, joking with the caller for butchering the word "morning."

Despite her gaffe, Joy breaks into a gospel hymn, and for a moment the radio booth looks more like a Baptist church sanctuary during a Sunday morning praise period.

They stamp their feet, wave their hands and fan each other as if they have been anointed by the Holy Spirit.

"Everything has to do with food or praising him," Fox tells listeners, sounding more like a Baptist preacher than a radio host. "If you don't know, you better ask somebody."

Shouts of "hmm-hmm" can be heard in the background.

After the broadcast, Fox talked about her show. "I think if I'm sitting at a kitchen table talking to somebody . . . would I find it entertaining? Would it wake me up? Would it keep me going? If I answer 'yes' to that, that's what I'm trying to do.

"You have to be able to speak on what you know and make it believable."

The station's formula appears to be working already, according to spring 2004 Arbitron ratings. Overall, WBTP earned a 4.2 share, meaning that 4.2 percent of the market's 2.2-million listeners older than 12 tuned in to



[Times photo: Thomas M. Goethe 2000]

Olivia Fox started her morning show on the Beat, WBTP-FM, in February. "You have to be able to speak on what you know and make it believable," she says.

the Beat. That's slightly behind Wild, but Wild's listenership dwindled from 7.2 to 5.8.

And among black women, the Beat tops Wild, 19.7 to 15.2.

"If you look at straight-up impact, they (the Beat) have made an impact," said Dana Hall, urban/urban adult contemporary editor at Radio & Records Newspaper, a trade magazine. "They (Wild) made a dip, and that's definitely due in part to the Beat."

Wild declined an interview with the Times.

But Fox said listeners have told her they tune in to her show because it's funny. Not to mention the chemistry of the morning team, she added.

However, at the top of the list, Fox said, is this: "Finally, a show I can listen to with my kids in the car."

For Moore, it's that "they're talking about black issues and things going on with black people."

* * *

Glenn Cherry doesn't like it when people refer to the Beat as a black radio station. The personalities may be black and the music the station plays may be rooted in black culture, but the proprietors of the station - Clear Channel - are not.

"TMP has always been a station that supported African-Americans for 50 years," said Cherry, president and CEO of TAMA Broadcasting Inc., which produces Tampa's only black-owned and -operated radio stations, WTMP-AM/FM.

He said he's not slighting the Beat. His 12-year-old son listens to it in the car. There's a place for both the Beat and WTMP, Cherry said.

But "we approach it as 50 years of service to a community that had no service," he said. "The station was there to support groups, to right the wrongs. . . . It's got a higher calling than just music."

Though Radio & Records' Hall said that there will always be a place for African-American-owned stations such as WTMP, she added, "All the community activism in the world won't help you. It can help you establish yourself in the market, but it doesn't necessarily always translate into ratings, and it becomes a ratings game."

Concern about ratings was one reason the Tampa Bay area did without an "urban" radio format for so long, she said.

"Well, when you look at the African-American population in Tampa, it's

only 9.5 percent according to Arbitron," Hall said. "Up until a few years ago, most broadcast companies wouldn't feel that was a high enough percentage to get the support from ad revenue. Your ratings would not be high enough to get the revenue you need to invest in the station.

"But the difference now, you can target your station toward an African-American audience, but because the music is so popular, you can still do well. You have other people listening in addition to African-Americans.

* * *

Other people are listening.

According to summer ratings projections, the Beat and Wild are tied.

"That's a good thing for the Beat," Hall said. "They're making headway."

But Moore, the Beat fan, said the station still has some work to do. Sometimes, the Beat is as hip-hop-heavy as Wild. And the Quiet Storm does not offer the variety of late-night slow songs that she's accustomed to hearing.

"If you've ever listened to GCI, that's a real quiet storm," she said. "They (the Beat) could have more a variety of classic R&B, slow jams, mellow moods."

For now, Moore is just happy to have a radio station that she likes. There was a time when Moore looked forward to trips to her native Chicago just so she could "listen to some real radio," she said.

Now, she can tell her friends that Tampa does "finally have one that's approaching a decent urban radio station."

- Times researcher Kitty Bennett contributed to this report. Rodney Thrash can be reached at 813 269-5313 or rthrash@sptimes.com

[Last modified October 1, 2004, 11:23:14]

Floridian headlines

► [They've got the Beat](#)

Past 14 Days

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EXHIBIT F

Clear Channel's Efforts in Florida

With hurricane season taking an especially tough toll this year, Clear Channel stations have worked to prepare and inform local residents with regular updates and weather warnings. And as the storms have cleared, Clear Channel has reached out to our communities to help rebuild and recover. Clear Channel radio stations in Punta Gorda were the primary news source in the immediate aftermath of hurricane Charley, while dozens of Clear Channel properties across Florida and the South have contributed to the relief efforts.

Relief, rebuild and recover -- a sampling of the donations:

- Working independently, 10 different Clear Channel radio stations in Florida, many in partnership with local businesses, raised nearly \$600,000 for victims of Charley.
- A Savannah, Georgia station collected and delivered truckloads of essentials to hard-hit areas; a station in Chattanooga, Tennessee sent 3 trucks overloaded with food donations from area listeners; a Panama City, Florida station raised 47,000 pounds of supplies and two different Clear Channel stations hosted blood drives, collecting over 800 pints of blood.
- Other stations, some from as far away as Maine, have collected and distributed ice, water, food, agricultural supplies and vehicles.
- Clear Channel Worldwide created a website, www.stormaid.com, and is sponsoring an on-line auction of more than 40 guitars signed by celebrities and entertainers. All proceeds will go directly to displaced families and the Red Cross.

Clear Channel radio, a lifeline:

- "We have a radio station. I'm going to mention it again. It's a Clear Channel operation, they have 4 stations, 4 stations, broadcasting simultaneously, around the clock, on simulcast, emergency information. As fast as we can push it out to them, they're putting it on the air... We need to focus on that as our main means of communication to the people."
--Wayne Sallade, Director of Emergency Management for Charlotte County, Florida, at a media briefing in Punta Gorda, August 16, 2004
- "Since then, the [Clear Channel] radio studio in Punta Gorda, the only one based in Charlotte County, has become a lifeline for residents searching for information to help them cope with the storm's aftermath...They offer phone numbers, locations where food and water are available, even information on where people can bring their horses. The building has become a trading post of information... While keeping the station going has been stressful, emergency officials have praised its work, saying it serves as rescuers' best mouthpiece to the public. 'It is phenomenally important,' said Charlotte schools superintendent Dave Gaylor. 'It is the only lifeline people have.'
--*St. Petersburg Times*, August 17, 2004
- Collectively, they are the Clear Channel stations in Charlotte County. Individually, they were lifelines to residents who sat in closets under mattresses or fled the storm in their cars or hunkered down in shelters, churches and even bars. The other two legs of the local media stool -- television and newspapers -- were wobbled by the loss of power and the need for immediate information. Radio reigned.
--Brian Gleason, columnist, *Charlotte Sun Herald*, August 21, 2004

EXHIBIT G



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08/21/04

Brian Gleason column

Clear Channel stations kept Charlotte informed through the storm

With power out and Hurricane Charley bearing in on Charlotte, Lee, Sarasota and

DeSoto counties, tens of thousands of people had unpronounceable four-letter words on their minds. Those four-letter words weren't curses, but call signs, as in WCCF, WKII, WIKX, WCVU and WBCG.

Collectively, they are the Clear Channel stations in Charlotte County. Individually, they were lifelines to residents who sat in closets under mattresses or fled the storm in their cars or hunkered down in shelters, churches and even bars.

The other two legs of the local media stool -- television and newspapers -- were wobbled by the loss of power and the need for immediate information. Radio reigned.

"They were a great source of information. KIX Country informed us on everything," said Donna Sharp, a Punta Gorda resident who braved the wind and rain in her Gussie Street home. "They stayed on the air through the whole thing."

Well, almost. The storm devastated the company's Deltona Avenue offices, blowing off the roof and flooding the interior just after on-air personality Larry Timko was ordered out of the building. The stations went silent for a couple of hours in the immediate aftermath of the hurricane.

"Mike Moody and Bob Alexander got in here first to see what we had to work with," said general sales manager David Ayres, sitting behind his desk with a fluorescent light dangling from a wire inches above his head.

Moody, the group's long-time general manager, and on-air personality Alexander ran a gauntlet of downed power lines, felled utility poles, toppled trees and strewn traffic signals from the county emergency operations center at the airport to the Punta Gorda station in the post-Charley gloaming. The normal 10-minute drive took more than an hour.

"The generator was still running, but the roof was gone," said Moody, pointing to new plywood panels overhead and drawing back a sheet of plastic to reveal blinking and buzzing transmitters, satellite uplinks and other equipment left intact as the building crumbled and buckled around it.

On-air personality Zane Scott rode out the storm at home before beginning a series of marathon shifts that at one point stretched to 18 hours out of 24.

"It's just an awesome responsibility. I've been on the air for 20 years and I've never felt that much responsibility," said Scott, who usually staffs the midnight to 6 a.m. shift on KIX Country, but on Friday was doing engineer duties in between on-air segments with program director Todd Matthews.

Scott and colleague Jay Higgins went on a patrol mission earlier this week, identifying relief sites where listeners could obtain ice, water, food and insurance and relief information.

"We were like the eyes and ears of Charlotte County," said Scott. "People are hanging on every word because they are starved for information."

A week after the hurricane, the station saw a steady stream of residents, business-owners, nonprofit officials, county officials and volunteers trying to spread information to radio listeners.

Even as he and his colleagues were providing an invaluable public service, Scott said he has been humbled by the relief effort around the county. Storm-ravaged residents have deluged the radio station with food and drinks out of gratitude.

"The human spirit is amazing, all the people who didn't even know us and have descended on us to help," said Scott, who has been signing off each morning with the Alabama song, "Angels Among Us."

Moody gets misty hearing praise heaped on him and his colleagues.

"(Listeners) feel we are heroes, but we're just doing our jobs. This is what we got into radio for in the first place," said Moody.

* * *

While only four deaths in Charlotte County were attributed to Hurricane Charley, that number grows by a factor of 10 or 100 depending on which Internet site you rely on for "information."

Take that paragon of credibility, RumorMillNews.com, on which the following was excerpted from "an RMN Exclusive:" "Our estimate is that there were at least 20-30 body bags already on BOTH sides (of Burnt Store Road), waiting to be put into trucks. I really don't care what CNN or ANY biased and controlled media group wants to "estimate" or purportedly "report" about this disaster. The world is NOT being told the truth of what happened here and how many died. Why would they want to cover up a body count or death toll

that we have already seen for ourselves?"

Another Web site, Whitley Strieber's Unknown Country (www.unknowncountry.com), ran a note under the headline, "What's Really Happening in Florida?" that asked, "We are receiving a lot of alternate news from Florida that tells a very much different story from the one appearing in the general media. We have not fact checked these stories, but they are coming in a wave of pain and despair, and they mean, to us, that what is unfolding there is almost certainly much worse than the CNNs and Fox News channels of the world are telling us."

Elsewhere on this site, which also features testimonials from grandchildren of aliens and the global warming forecasting powers of butterflies, is an entry from "Michael," a retired law enforcement or military officer who claims to live here:

"CNN and the rest of the world [sic] biased and controlled media are fooling none of us who live here. The current CONFIRMED body count in our 3 county area on the west coast of Florida is near 400 as I write this."

I can't wait for the next issue of the checkout counter tabloid Weekly World News. I can just see the headline now: "Space Alien Charley's Oldest Victim."

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EXHIBIT H

Palm Beach Post (Florida) September 21, 2004 Tuesday

Copyright 2004 Palm Beach Newspapers, Inc.
Palm Beach Post (Florida)

September 21, 2004 Tuesday FINAL EDITION

SECTION: ACCENT, Pg. 4E

LENGTH: 462 words

HEADLINE: FM STATIONS IMPROVED LIFE AF(AFTER FRANCES)

BYLINE: Thom Smith

BODY:

Something to talk about. Thank you, Bonnie Raitt, for that song. The title and twangy refrain will forever remind me not about love, but about how we endured Frances.

Just as Andrew remains an icon in Miami, we'll mark time in eras: BF and AF: Before Frances and After Frances. Years from now, we'll talk about what was, what could have been . . .

We won't take fresh water for granted. Ten years from now, we'll spot the old generator in the garage and wonder if it could still keep the fridge running. We'll plant fewer ficus trees. We'll delight in the new relationships born in our adversity - neighbors we finally met, strangers in the relief lines who became friends, folks who affected our lives for just for a few seconds.

Many will remember 'Dr. ' Rich Dickerson, half of the Love Doctor team at Real Radio 94.3, venting the Treasure Coast's frustration and anger when he told Gov. Jeb Bush: "You let us down." Dr. Rich works for **Clear Channel** radio, which hasn't exactly endeared itself to the American public while gobbling up more than 1,200 stations. But after Frances, **Clear Channel** stations in Port St. Lucie - WAVE-92.7, Real Radio at 94.3 and 101.7 - combined resources to do what radio does best - respond to the community.

Until last Thursday, when regular programming resumed, the stations were a clearinghouse for hurricane relief, every minute devoted to putting the community back on its feet. Listeners called in with storm-related problems, and often, within minutes someone called in with a solution.

If someone needed an answer from a public official or relief organization, the **Clear Channel** guys did their best to get 'em. The whole gang was involved - Rich and fellow Love Doc Glenn Curtis, Josh Cohen, Heath West, Dano, Eric Hunter, Johnny C, even general manager Mark Bass. When they weren't on the air, they answered phones. They battled sleep deprivation, tempers occasionally flared, but the mission continued.

"I must have answered 100,000 phone calls in three days," receptionist Deborah Hawes said.

Nice work, guys.

The outlook for the River House restaurant on the Intracoastal in Palm Beach Gardens is a little bleaker.

"We're gonna rebuild, but it looks like it's gonna take about three months," owner Doug Pennell said. A clamshell throw away, Panama Hattie's and Waterway Cafe were unscathed, prompting Pennell to believe his place was hit by a tornado.

"It opened up our second-floor roof, yet the awning right next to it is undamaged, and even the little belvedere was untouched," Pennell said. "We got a lot of water damage, but you can always rebuild a building.

"It's most devastating to the employees; we just hope they'll be able to come back. We'll be back . . . like new."

- thom_smith@pbpost.com

TYPE: COLUMN

EXHIBIT I

The Washington Post August 18, 2004 Wednesday

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The **Washington Post**

August 18, 2004 Wednesday
Final Edition

SECTION: A Section; A03

LENGTH: 909 words

HEADLINE: Radio Days: Now the Dial Touches Back;
Station Helps to Keep Battered Area Together

BYLINE: Manuel Roig-Franzia, **Washington Post** Staff Writer

DATELINE: PUNTA GORDA, Fla. Aug. 17

BODY:

Listen closely in the oozing traffic jams and the won't-this-ever-end ice line, and flinty voices can be heard. Disembodied, but somehow incredibly intimate, they have talked and talked for days now, crackling out of car radios and ancient transistors.

"There's bottled water at the corner of Harbor and 41."

"Ice across from Taco Bell."

"Does anyone have a porta-potty?"

The voices radiate from a tiny radio station -- broadcasting over five frequencies -- planted on the edge of a mangrove bog in the shredded-aluminum core of **Hurricane** Charley's path. The round-the-clock broadcasts have been like a step back in time, a time when radio was king.

There is no power in Punta Gorda. No television. Spotty phone service.

In other words, radio rules.

But the reign of Seaview-104.9 and its sister stations has been all the more remarkable because the radio station itself is a victim. Charley ripped the roof off the tiny wooden station and shattered its windows last week but somehow spared the announcer's booth. Within four hours after the storm passed, the station was back on the air.

What has ensued is a kind of reciprocal love affair. The tattered station and its cast of haggard announcers -- many of them with ruined homes of their own -- have directed listeners to the nearest MRE station or ice stand. The listeners have given back by showing up with hammers and wood to build a new roof, at a time when roof builders are almost impossible to find.

The reach of Seaview and other area stations could expand significantly because federal authorities plan to distribute 50,000 radio receivers to storm victims.

The Seaview station sits near the bend in a winding road that leads through a blasted-apart trailer park. Ron Hall, 67, a soft-spoken ham radio junkie with a pile of white hair, monitors the front door. Hall showed up unannounced, driving from his home in St. Petersburg. Now he is a fixture, leaning into a flashing, handheld device that receives information from the emergency operations center and jotting notes to be dashed into the announcer's booth.

There is no use blocking the entrance. The people come in all day. This is community activism meets journalism.

"Are you the radio guy?" Debbie Passaro asks as she stalks into the soggy lobby. "You need to find out when they're going to start collecting the garbage."

As Passaro gives her amateur's take on radio programming, General Manager Mike Moody's cell phone rings. It has been ringing almost as long as Punta Gorda has been a national focal point.

Moody's glasses tilt because he lost an earpiece in the storm's commotion. He gave out his personal cell phone number on the air, pleading for someone to rescue his station in the hours after the storm hit. Now he hears from women with advice for soothing children and from people who need directions.

"That was the Florida emergency something or other," he said, setting down the phone. "They wanted to send help, and they wanted to know where to send it."

Moody benefited from the resources of a megalith, **Clear Channel** Communications Inc., which owns Seaview and the four other stations he supervises in southwest Florida. The mother company's engineers worked with local radio engineers to reconfigure twisted transmitters and receivers so that the station -- now powered by a diesel generator -- could stay alive.

Moody stands amid boxes of cookies, potato chips, motor oil and blankets. There is so much stuff that he had to ask listeners to stop bringing anything to the station.

The announcers are visible through a big round window that resembles a porthole. Everyone is going on the air, even a former employee who happened to be in town because he works for a disaster response team.

Lisa Kitchener pops into the booth and walks up to a microphone: "TGI Friday's is open. . . . They have a full bar!"

"Yay," says Rosey Williams, an oldies disc jockey turned newswoman.

Williams has been in a confessional mood on this day. The storm peeled the roof of her condominium, a sturdy brick building she thought was so safe that she invited friends to take refuge there.

"I've never had to accept charity," she says, pressing her throaty tones into the microphone. "Every time I go to pick up ice or water, I break down crying."

In the lobby, Larry T, one of the deejays, has given over control of the announcer's booth door to Casey Duffy, 23, a radio advertising saleswoman with shy eyes.

"Charlie Shuuuuuuue!" Duffy calls out as a tall man with the deepest of Florida tans strides in.

Charlie Shue is a pro. Everyone likes Charlie. The way they call out his name and drag out the syllables gives them away. "Old Shoe!" "The mayor of the morning!"

Shue was once an afternoon-drive radio personality in the District, booming his voice over WPGC-FM in the early 1970s. He retired young and came to Punta Gorda for the good life but got bored. Now, at the age of 67, he has been on the air here for 22 years.

"Charlie," Duffy says, grabbing his attention away from a corridor flowing with people.

"I brought my neighbor in," Duffy says, gesturing to a pretty girl in a tank top. "She's 11, and she's been going around the neighborhood with her friends, helping old people."

Shue doesn't hesitate. He does not need to hear anymore.

"Great story!" he calls out in his deepest radio voice. "Do you want to talk on the radio?"

Staff writer Ceci Connolly contributed to this report.

LOAD-DATE: August 18, 2004

EXHIBIT J

St. Petersburg Times (Florida) August 17, 2004 Tuesday 0 South Pinellas Edition

Copyright 2004 Times Publishing Company
St. Petersburg Times (Florida)

August 17, 2004 Tuesday 0 South Pinellas Edition

SECTION: NATIONAL; Pg. 7A

LENGTH: 408 words

HEADLINE: Radio studio on life support is lifeline for Punta Gorda

SERIES: HURRICANE CHARLEY

BYLINE: CHRIS TISCH

DATELINE: PUNTA GORDA

BODY:

The radio studios were silent for less than five hours.

The last to leave the microphone was Larry Timko, whose on-air handle is Larry T. He fled just as Hurricane Charley's winds started to bend the trees Friday afternoon.

That evening, general manager Mike Moody returned to the building. The roof was shredded, the ceiling collapsed. But one studio, no bigger than a walk-in closet, was in working order.

"There was no sound. Nothing," Moody said. "There was only silence."

So he started broadcasting. A generator provided the power. Moody plugged a phone cord into a fax outlet and got a dial tone. He put the phone to the microphone and let callers unravel their terrible tales of storm survival.

Since then, the radio studio in Punta Gorda, the only one based in Charlotte County, has become a lifeline for residents searching for information to help them cope with the storm's aftermath.

Moody manages five **Clear Channel** stations, including country, rock and talk formats, now broadcasting from the tiny studio. They were first to report Sunday that school was canceled for two weeks. They were the first to say Monday that upcoming local elections were kaput.

They offer phone numbers, locations where food and water are available, even information on where people can bring their horses. The building has become a trading post of information.

At the center of all this is Moody, a 49-year-old father of three whose Port Charlotte home was nicked by Charley.

He first had to get a signal out. His towers were undamaged, but the link to them was rattled. And the roof was gone.

"If the stuff gets wet, we're toast," Moody said.

Moody asked for roof repair help over the air, hoping builders would come forward. When builders could give him no definitive answers Monday, he cried.

"Sorry, guys," he said, wiping his eyes with a paper towel.

While keeping the station going has been stressful, emergency officials have praised its work, saying it serves as rescuers' best mouthpiece to the public.

"It is phenomenally important," said Charlotte schools superintendent **Dave Gaylor**. "It is the only lifeline people have."

Moody said emergency officials hired a plane to fly over the county pulling a banner encouraging residents to listen to his stations for the latest information.

As the plane buzzed over the studio late Monday afternoon, Moody craned his head and watched it through the holes in the roof. He smiled.

GRAPHIC: PHOTO, ERIK JACOBS; Mike Moody is on the phone in his temporarily roofless **Clear Channel** radio studios.

LOAD-DATE: August 17, 2004

EXHIBIT K



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Clear Channel Cuts Ties With Independent Promoters

*President & COO Mark Mays Says Longstanding Industry Practice
Gives Appearance of 'Pay for Play' and Will Be Stopped*

San Antonio, Texas, April 9, 2003 – Clear Channel Communications, Inc. (NYSE: CCU] announced today that its radio stations would no longer work with independent promoters after several prominent members of Congress expressed concern over the longstanding industry practice.

Senators John McCain (R-AZ), Orrin Hatch (R-UT), and Russ Feingold (D-WI) each have raised questions about whether radio station contracts with record company “middlemen” affect the amount of airplay given to particular songs.

“We heard Senator McCain and Senator Hatch loud and clear,” said Clear Channel President & Chief Operating Officer Mark Mays. “And we now recognize that these relationships may appear to be something they’re not. We have zero tolerance for ‘pay for play,’ but want to avoid even the suggestion that such a practice takes place within our company.”

Clear Channel testified before the U.S. Senate Committee on Commerce, Science and Transportation in January that its radio station play lists are driven solely by listener tastes and desires, largely determined through extensive local audience research performed by its stations.

Mays said that the company takes its role as a steward of the public airwaves very seriously, and doesn’t want to jeopardize what it considers to be an important public trust.

“Our radio stations have been entrusted by the government to provide the American public with the best news, information and entertainment that we possibly can,” Mays added. “So when policymakers express concerns, we believe it’s our duty to be responsive.”

Also today, Clear Channel Radio CEO John Hogan announced the beginning of a new, restructured relationship with the recording industry that will benefit artists and labels alike. Upon expiration of existing independent promotion contracts this summer, Hogan said Clear Channel Radio would begin working directly with the recording industry on specific group-wide contesting, promotions and marketing opportunities.

“Strong relationships with artists and record labels are a priority for our business,” Hogan said. Eliminating these relationships with middlemen should alleviate legislators’ concerns and provide opportunities for us to create better ways to market and promote music for all concerned. Most importantly, that means a better listening experience for the American public.”

About Clear Channel Worldwide

Visit our website at www.clearchannel.com

Clear Channel Worldwide, headquartered in San Antonio, Texas, is a global leader in the out-of-home advertising and entertainment industries with radio and television stations, outdoor advertising displays, and live entertainment productions and venues throughout the US and in 65 countries around the world.