

LAW OFFICES  
**COHN AND MARKS LLP**

ROBERT B. JACOBI  
ROY R. RUSSO  
RONALD A. SIEGEL  
LAWRENCE N. COHN  
RICHARD A. HELMICK  
J. BRIAN DE BOICE  
JEROLD L. JACOBS  
  
SUSAN V. SACHS

**SUITE 300**  
**1920 N STREET N.W.**  
**WASHINGTON, D.C. 20036-1622**

TELEPHONE (202) 293-3860  
FACSIMILE (202) 293-4827  
HOMEPAGE WWW.COHNMARCS.COM

OF COUNSEL  
MARCUS COHN (1913-2001)  
LEONARD H. MARKS (1916-2006)  
JOEL H. LEVY  
ELLEN MANDELL EDMUNDSON

DIRECT DIAL: (202) 452-4810  
EMAIL ADDRESS: Robert.Jacobi@cohnmarks.com

January 24, 2007

**VIA HAND DELIVERY**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
The Portals II  
445 -- 12<sup>th</sup> Street, S.W.  
Room TW-A325  
Washington, D.C. 20554

Dear Ms. Dortch

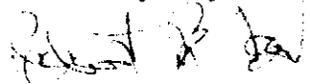
On behalf of Mt. Wilson FM Broadcasters, Inc., licensee of stations KMZT-FM, Los Angeles, California and KKG0(AM), Beverly Hills, California, there are transmitted and original and four copies of a "Motion to Strike Comments of Clear Channel Communications, Inc." - filed in the 2006 Quadrennial Regulatory Review Further Notice of Proposed Rule Making.

**FILED/ACCEPTED**

**JAN 24 2007**

Federal Communications Commission  
Office of the Secretary

Yours very truly



Robert B. Jacobi

RBJ:btc

Enclosures

cc: Andrew W. Levin

014  
MAR 06

DUPLICATE

BEFORE THE

# Federal Communications Commission

In the Matter of )

2006 Quadrennial Regulatory Review – )  
Review of the Commission’s Broadcast )  
Ownership Rules and Other Rules Adopted )  
Pursuant to Section 202 of the )  
Telecommunications Act of 1996 )

MB Docket No. 06-121

FILED/ACCEPTED

JAN 24 2007

Federal Communications Commission  
Office of the Secretary

2002 Biennial Regulatory Review – Review )  
of the Commission’s Broadcast Ownership )  
Rules and Other Rules Adopted Pursuant )  
to Section 202 of the Telecommunications )  
Act of 1996 )

MB Docket No. 02-277

Cross-Ownership of Broadcast Stations and )  
Newspapers )

MM Docket No. 01-235

Rules and Policies Concerning Multiple )  
Ownership of Radio Broadcast Stations )  
in Local Markets )

MM Docket No. 01-317

Definition of Radio Markets )

MM Docket No. 00-244

## MOTION TO STRIKE COMMENTS OF CLEAR CHANNEL COMMUNICATIONS, INC.

Mt. Wilson FM Broadcasters, Inc. (hereinafter “Mt. Wilson), licensee of station KMZT-FM, Los Angeles, California and standard broadcast station KKGO, Beverly Hills, California, by and through its counsel, respectfully requests that the Comments and Reply Comments of Clear Channel Communications, Inc. (hereinafter “Clear Channel”) be stricken. In support thereof, the following is stated.

## Motion to Strike Clear Channel Comments

The Mt. Wilson Comments in this proceeding were timely filed on October 23, 2006. The Clear Channel Comments were timely filed on October 23, 2006. Subsequent to the filing of the Clear Channel Comments, the sale of Clear Channel to Bain Capital Partners and Thomas H. Lee Partners was publicly announced on or about November 16, 2006. An application for transfer of control was filed with the FCC on December 12, 2006 and reported as "Accepted for Filing" on a Commission Public Notice released December 20, 2006. Whatever the position is of the new ownership as to the issues raised in the Further Notice of Proposed Rule Making, (2006 Quadrennial Regulatory Review, MB Docket No. 06-121), such position has never been filed in this proceeding and is not a matter of record either as of the October 23, 2006 Comment filing date or the January 16, 2007 Reply Comments filing date.<sup>1</sup> The views and positions of the old Clear Channel ownership do not constitute (at this untimely date) the views and positions of the new ownership. In short, the Comments of the old Clear Channel ownership are now

---

<sup>1</sup> Control (i.e., programming, etc.) of Clear Channel will remain vested in the old ownership until Closing. However, since the old ownership has publicly announced its intention to divest its controlling interest (irrespective of the identity of the new ownership), the position of the old ownership is irrelevant to rules which will become effective at a future date.

wholly irrelevant to the instant rulemaking proceeding and, accordingly, should be stricken from the record.

Respectfully submitted

MT. WILSON FM BROADCASTERS, INC.

By: Robert B. Jacobi

Robert B. Jacobi  
Cohn and Marks LLP  
1920 N Street, N.W.  
Suite 300  
Washington, DC 20036  
(202) 239-3860

Its Attorneys

Dated: January 24, 2007

CERTIFICATE OF SERVICE

I, Brenda Chapman, hereby certify that on this 24<sup>th</sup> day of January, 2007, a copy of the foregoing "Motion to Strike Comments of Clear Channel Communications, Inc." was delivered via first class, U.S. mail, postage prepaid to the following:

Andrew W. Levin  
Executive Vice President, Chief Legal Officer  
and Secretary  
Clear Channel Communications, Inc.  
200 East Basse Road  
San Antonio, Texas 75201

  
Brenda Chapman