

Society which is the nation's largest and most broad-based journalism organization.

The Society is made up of working journalists, news media owners and managers, and, as such, we take no position whether larger or smaller broadcast companies are desirable, nor on any specific proposal that might affect the number of broadcast licenses anyone can hold. However, we do urge you to consider media ownership can affect the amount and quality of journalism that reaches the public.

I've worked in this market since 1980. Since that time, the Commission has significantly deregulated the broadcast industry, and I believe, as a result of that deregulation, we've seen the number of active radio newsrooms in this market cut in half, from four to just two.

It's the Society's belief the competition among news sources improves both timeliness and the accuracy of news content, as newsrooms serve as checks on each other. A multiplicity of news sources can also help the public identify and balance bias may creep into news reporting. In crafting any new regulation, we ask that you keep those thoughts in mind.

And on behalf of listeners in smaller markets, like here in southern Maine, we would ask that you keep in

mind the importance of maintaining journalistic diversity in each individual market. In that way, your actions can buttress the coverage of local news, which, as you've heard here today, is indispensable to the operation of government at the grass roots.

I have a special thank you to Commissioner Adelstein's office for allowing us the time to testify, and to all of you for taking some time to be with us in Portland today.

(Audience applause.)

MR. ENSSLIN: Thank you, Mr. Gratz.

Adam?

MR. LACHER: Thank you.

I went to school at the University of Maine, and I studied international affairs, political science and art history. I came from a family of journalists, and now I find myself working at a community radio station. I decided not to work for government, instead I decided to work for Maine people.

I am working there right now, and I am seeing all of this and listening to all of this, and it keeps coming back to a little flyer I saw out front. Is our media serving us locally. Is it serving the community, and you can see things and you can -- you can read things, but it seems that it's not really there. It

seems kind of flat. It seems kind of dull. I don't want to say dull, but I did.

We kind of have this issue in Maine -- this economic issue of we have a brain drain in Maine. It's a very old state. The population is getting older and older and all of our young people are leaving the state because there's little, to no, reason to stay. And one of the things we do at our station is we bring people in from the community, we teach them how to do -- for no charge at all, we teach them how to do radio broadcasting. We teach them how to do engineering and producing and how to run events and how to do things like that.

We engage just about anyone in the community who has skills and merits, you know, being heard. The response has been great. We teach people everything from how to take care of your infant, to starting a small business, to encouraging your creative mind. So I think more local independent stations would be great.

That's it.

(Audience applause.)

MR. ENSSLIN: Thank you, Adam.

I would also like to recognize three individuals who may be here from Homeless Voices For Justice. If Dee Clark and Jeff Ayne and Heather Blanchard are here,

they can come forward at this time.

And after we hear from them, and -- I believe you have two minutes. I don't know if all three of you want to speak are or --

MS. CLARK: Yes, all three.

MR. ENSSLIN: Okay. Two minutes each. And you are --

MR. AYNE: Jeff.

MR. ENSSLIN: Why don't we start with you. You have two minutes.

MR. AYNE: Thank you.

My name is Jeff Ayne, and I'm a member of Preble Street Homeless Voices for Justice here in Portland. As someone who knows what it's like to be homeless, I feel the FCC needs to pay a lot more attention to radio and television programming that is harmful to vulnerable groups like the homeless.

I know you are here today to hear about broadcaster service to their communities. The flip side of that is programming that is harmful to communities. Why is it a reasonable use of our publicly licensed airways to have programming like the Opi and Anthony show where it's supposed to be hilarious to bring homeless alcoholics to the mall so they can be ridiculed as bums, or where they are used as ongoing characters to make outrageous and

violent comments showing how crazy he is.

These are not shows about opinions. Their sole purpose is to degrade and ridicule people. This is a hateful purpose. The people who produce shows might say that they are meant to be humorous, but this sort of humor is based on hate, a sort of humor that breeds hate.

Homelessness people are certainly not the only minority group being targeted this way, but it is some -- sometimes seems we are one of the last groups where supposedly reasonable media will still air this level of hateful speech.

How much worse can it get? We believe there is a connection between the increase in ownership and control by a few large national corporations in the choice to air sensational, irresponsible programming with little or no connection to local communities and no consideration of local real life impact.

If you look at the websites of some of these media companies, they make no bones about the fact their goal is to capture the most market share. They don't even talk about the responsible goal of serving the community.

We hope the FCC will look seriously at these issues of programming that promotes hate and discrimination.

Thank you.

(Audience applause.)

MR. ENSSLIN: Thank you, Jeff.

Are you Dee?

MS. BLANCHARD: I'm Heather Blanchard.

MR. ENSSLIN: Heather, you have two minutes.

MS. BLANCHARD: My name is Heather Blanchard, and I'm a member of Preble Street Homeless Voices for Justice. You've probably heard about attacks, beatings, and even murders of homeless people around the country. Some of these attacks have happened to friends of ours right here in Portland.

The National Coalition for The Homeless found a 65 percent increase in violent attacks between 2005 and 2006, and the Associated Press reported this April, on nationwide search, unprovoked beatings of homeless, largely by teens and young adults. A 60 Minute's report last fall, and lots of other evidence, shows some links between these attacks and the dehumanizing image of homeless people in films like Bum Fights and in the media.

Nationally syndicated programming, especially talk radio, has included incredibly demeaning stunts and shock jock statements which amplify this trend of harassing homeless people. Again and again we have seen

this trend is associated with real life violence towards the homeless.

We understand the importance of free speech, but the FCC has the responsibility to regulate our public airwaves and to make decisions about ownership and programming and to look at public benefit. So we expect you to notice how harmful the content of some programming is getting.

In some cases, the same shock jocks who have actually lost their jobs at local stations under pressure from the community, or from local ownership, have moved on to the wider national stage, supported by many corporate-owned stations around the country who air these shows with much less questioning.

If the same corporation owns several stations in a particular community, there is even less opportunity to influence them with grass roots pressure, as they are their own competition.

At Homeless Voices for Justice, we were able to persuade some locally-owned video rental stores to stop carrying the Bum Fights video, but it has proven more difficult to prevent huge national companies from continuing to carry these films online or to convince anyone to drop a nationally released feature film that included a Bum Fights theme.

MR. ENSSLIN: Heather, I'm sorry, you're out of time. Thank you.

(Audience applause.)

MR. ENSSLIN: Dee, you have two minutes.

MS. CLARK: Hi. I'm Dee Clark, and I'm a member of the Preble Street Homeless Voices for Justice.

I, as well as my friends in the Portland community who are artists, professionals, laborers, homeless people, moms, and even my own doctor, are angry that a radio station can easily put out onto the airwaves on a particular day, June 6, 2006, 666, be evil, go beat up a homeless person. How dare anyone think that is okay.

Whether it's meant to be some kind of joke or not, to tell our youth it's okay to go beat up or perpetrate hate on anyone, especially someone as vulnerable as a homeless person, is just not right.

Our community here in Portland does not tolerate hate or hateful behavior towards homeless folks. People have marched, written, spoke, and helped pass a state law demanding that mistreatment of homeless people stop. But when this kind of thing that I just mentioned got aired on the radio here, we needed to bring it to the attention, and that is -- I'm sorry, we needed to bring it to their attention that this was an issue by organizing a protest.

We believe that the stations owned by people with a greater connection to this community would have been less likely to air this kind of thing in the first place. We later found out that the clip was not even locally produced. We do want to give some credit to the local general manager, Mike Sanburg, and to the staff of the station owned by Citadel Broadcasting, for responding to us at the end this. They have now worked with us to create and air public service announcements, and they are continuing to work with us to respond to the problems and to promote treating homeless people with dignity.

But the larger problem is the programming that is getting produced and aired without paying attention to local standards and community interests in the first place. If a station was locally owned and controlled, we would expect that ownership and management to know that here in Portland, and in Maine, a group of community members, clergy, city councilors, state legislators, and others will not stand for hate against homeless people, will not stand for hate against any group that has suffered from discrimination. Local radio would be interested in local standards and local impact.

The FCC has a huge responsibility to regulate what

gets aired on the airwaves. The FCC --

MR. ENSSLIN: Dee, I'm sorry, it's time.

MR. CLARK: Stop letting hate fly the through the airwaves.

Thank you.

(Audience applause.)

MR. ENSSLIN: Thank you, Dee.

At this time we're going to hear from the people who signed up on the list that was out in the lobby. So I'd like to ask the first 10 names on my list to come stand by this microphone, if you would, and then after some of them have spoken, I'll call the next 10 names to stand by the next microphone.

But the first names on my list are, I believe, Heidi Alley is the first name, Diane Russell, Mark Curdo, Herb Adams, Margaret Avener, David Patterson, Elery Keane, Mark LaPointe, Paul Drowns, John Jensenius, and Paul Dupuis.

So if you could gather around this microphone, I will call on you in that order. The first name I have here is Heidi; is that correct?

MS. ALLEY: Yes.

MR. ENSSLIN: Okay. Heidi, you have two minutes.

MS. ALLEY: Thank you. I was going to give a laundry list of things that I have been a part of as an

employee of Clear Channel Radio in the Rockland/Augusta area; but instead, I thought I should point out that our DJ's live and care about our communities. My daughters go to school with Don Shield's kids.

He was -- he, who with very little sleep, covered more sports in central and coastal Maine than most other can. Another DJ took it upon herself to organize a clean-up crew after the April Patriot's Day storm with the blessing and help from our management. One of the people we helped that day came out of her home in tears to thank us. Two weeks later her husband passed away from cancer, leaving her and three small children behind.

I am proud to be a part of a company that allows and empowers our local radio stations to service the communities that we live in.

Thank you very much.

(Audience applause.)

MR. ENSSLIN: Thank you.

Diane Russell. Diane, you have two minutes.

MS. RUSSELL: My name is Diane Russell. I was born and raised in Maine, and I currently live in Portland. I went to college for media studies. You'll hear from one of my professors in a few minutes, and I want to share with you a really interesting story.

It was a foundations class, and there were about 40 or 50 students there, mainly in their early 20's. My professor looked at us and asked a very simple question, what was on the news last night. And a normally lively class shut right up. No one said a word. He looked a little confused and he came back and he said, all right, so what was on the news in the past week? No one said a word.

He looked at us and he said, this is a media studies class. Are you telling me that you're not watching the news media? People sort of shifted in their seats a little bit, and I finally raised my hand and I said, Dennis, it's because we're media students that we choose not to watch the media.

How did we let this happen? The Fairness Doctrine was removed in the 1980's. We must restore it. People think --

(Audience applause.)

I'm claiming about seven seconds.

We must restore it because the majority of Americans still assume that exists. The annual licensing process for broadcasters was, quote, unquote, streamlined, significantly reducing public input.

If that system was in place today the way that it was prior to 1996, Sinclair Broadcasting would be

fired.

(Audience applause.)

We also have an FCC, which I really commend your work, but frankly, should be nonpartisan. It should not be determined by partisan politics because our airwaves belong to our people, not the Democratic or the Republican parties.

(Audience applause.)

MR. ENSSLIN: Thank you, Diane. Your two minutes is up.

MS. RUSSELL: I'm claiming my seven seconds.

Finally, as these airwaves are owned by the people, 50 percent of the country are women. I see 20 percent on that stage, and I see no color.

(Audience applause.)

MR. ENSSLIN: Diane, your time is up. Thank you.

Mark Curdo. Mark, you have two minutes.

MR. CURDO: Thank you. Good evening. I appreciate the opportunity to speak tonight. My name is Mark Curdo. I'm a disc jockey for 94.3 WCYY through Citadel Broadcasting here in Portland. We're an alternative and modern rock station, and I'm happy to be here tonight.

I'm happy to back up WCYY and its constant support of the local music, events, and charities. Our station welcomes the FCC and all others to take notice of what

WCYY has done, and will continue to do with local programming and support.

I've worked for a good amount of years for a successful independent record label and have been deeply involved in the music industry for over 20 years, and I've been close to radio along the way. And I've seen playlists and what commercial stations have done for their local communities and local bands.

I don't want to focus on other stations in America, but WCYY's local support far surpasses many commercial stations. Our local support continues on a daily basis, not once a week, buried after midnight. The new music and local show that I host, Spinout, is on twice a week, and it starts at a great time, at 7 o'clock.

WCYY involves local bands in our contests and our major concerts. We assist in local charities when we're called upon and when we feel we need to do more. WCYY is localized in a major way. Local artists and independent music is what the station was based upon, and we support these artists not because we're told we are expected to, but because people need to hear it and local talent in Maine is as good as anywhere in the country.

Without its support to local and independent music, I would not have chose to work with WCYY, but this is

all talk and I can say anything standing here as anyone else could, so I urge the FCC, and anyone else, to check out our station when all the hoopla and hype is over.

When this hearing is wrapped up and people go back to where they came from, WCYY will still be supporting local independent artists, as it is right now, as we speak.

And I would like to thank a bunch of local musicians and people in the local music scene that have come out on the side over here to support WCYY tonight.

Thank you very much.

(Audience applause.)

MR. ENSSLIN: Thank you, Mark.

Herb Adams?

MR. ADAMS: Thank you, Mr. Chairman.

Men and women of the FCC, I strongly urge you not to relax the rules about mega ownership of the media and information services. Maine is a small state, we're a small market, but it's everything to us. I serve in the Maine legislature on the Utilities and Energy Committee where we are constantly told that we can do nothing about most of those issues even remotely related to media and information services, even in Maine, because we're fully preempted by the Feds.

Now, of course, we're told this by well paid

lobbyists who would love to be the foxes that control the keys to the Maine chicken coop. So it's a pleasure to talk directly to the Feds, and I say nothing good in our small state can come from the concentration of ownership of the public airwaves and outlets into one or even just a few hands, nor for the rush for tabloid TV that always follows it, nor for the notion of news as a mere commodity that always comes with that.

Take it from Maine, homogenization is good for milk, bad for media. Maine is proof of that. Not one of the major television stations that serve the southern Maine market is locally owned now, and only one or two of the newspapers are. The last two of all of southern Maine's newspapers, radio stations, and television stations that were stretching back 100 years, left Maine ownership in the late 1990's.

What has it gained us? Local news that promotes itself with flaming red letters saying crime, accidents, scandal. That's the promotion for the local news, which, incidentally, wrapped around the promotion for your own attendance here. Welcome FCC, crime, accidents, scandal.

Men and women of the FCC, in February 2009 with free analog over the air, television vanishes, more than ever Maine is going to be reduced to dependency upon

on-web sources for our basic news, most of that also being mega owned. In a democracy this should worry everybody, for in a democracy who controls what you get to know should worry everybody.

MR. ENSSLIN: Herb, your time is up.

MR. ADAMS: For us consumers the race to the corporate bottom line always ends with a thump.

Thank you.

(Audience applause.)

MR. ENSSLIN: Thank you, Herb.

Margaret Avener. Margaret, you have two minutes.

MS. AVENER: Hello. My name is Maggie Avener and I'm from Belfast, Maine, a city two hours from Portland with a population around 6,000. I feel fortunate to have grown up in a community that values and has access to local media.

Belfast has three local newspapers because everytime one newspaper is bought by an out-of-town corporation, someone starts a new locally-owned paper.

(Audience applause.)

Belfast is also covered by WERU, an amazing community radio station that broadcasts from the nearby town of Blue Hill. WERU serves as a voice of many voices for the community, devoting air time to local news and local musicians. It is a station that truly

serves the needs of its listeners.

In 2003 I went to college in the Boston area and was dismayed to find that there was no community radio station on the dial. I learned that there was a new low-power FM service that gave radio licenses to community groups, but Congress had restricted the frequencies low-power stations could use, blocking them from most cities. Even in Portland, a relatively small city, there was no space for new LPFM's.

Fortunately, Congress is now voting on a bill to lift those restrictions. Unfortunately, many of the frequencies once available to LPFM's have already been given to translators that rebroadcast nonlocal programming. Additionally, any LPFM station that is on the air now, like WJZP in Portland, is considered secondary to full-powered stations and can be thrown off the air if a full-powered station moves to its frequency, even if the LPFM is serving the local community better.

I am here tonight to ask the Commission to do three things. First, protect low-powered stations from displacement by granting them equal status with full-powered stations. Second, give LPFM's more space on the dial by giving them primary status over translators. And finally, encourage Congress to pass the Local

Community Radio Act of 2007.

By doing these things, you can help ensure that the public airwaves are used according to the public interest.

Thank you.

(Audience applause.)

MR. ENSSLIN: Thank you, Maggie.

At this time, I'd like to call the next 10 names on my list and ask them to assemble around this microphone; and that's Suzanne Brown, Diane Sutter, Rick Bean, Ray Garon, Charlie Gaylord, John Bartholomew, Mike Marshall, Aimee Turner, John Chartier, and Judy Horan.

And at this microphone is David Patterson. David, you have two minutes.

MR. PATTERSON: Good evening, FCC Commissioners, and ladies and gentlemen. My name is Dave Patterson. I'm President and Program Manager of WJZF-LP in Standish, Maine. I'm going to briefly make observations between local full-powered stations and WJZF.

Do the local stations openly solicit local civic groups, health agencies, children's programming, other community groups that do good things for people and communities than provide free air time to air those views? The answer is no. WJZF does this regularly.

Do local stations air programs that feature music

by, and promote Maine musicians? For the most part the answer is no, with few exceptions. WJZF-LP does.

Do local commercial stations give a physical presence at and promote local community events? The answer is no; however, WJZF-LP does this regularly.

Do commercial stations broadcast town government meetings and recreational department activities? The answer is no. WJZF does this regularly. Weekly.

Do local commercial stations identify with their communities? The answer is no. They are tied to operations in Portland or out-of-state. They don't even give legal station ID's at the top of the hour. They don't mention local community events, but WJZF does this at no cost to our community groups.

Do local commercial stations feature student-produced high school radio programs or broadcast local high school sports events? The answer is no. WJZF does this. WJZF-LP feels the airwaves belong to the people, not large out-of-state corporations. It's time to hand back local media to the local communities.

We also -- please consider the LPFM 1,000 original proposal because our signal doesn't even cover 20 percent of our town. Our geographic uniqueness means that there --

MR. ENSSLIN: David, your time is up.

MR. PATTERSON: -- the towns are huge.

MR. ENSSLIN: Thank you.

MR. PATTERSON: Thank you.

(Audience applause.)

MR. ENSSLIN: Elery Keane? Are you Elery?

MR. KEANE: Yes, I am.

MR. ENSSLIN: Elery, you have two minutes.

MR. KEANE: My name is Elery Keane. I live in Winslow, Maine, which is in central Maine. I've never been employed by a broadcaster. I'm retired. I was formerly the Executive Director of the Kennebec Valley Council of Governments.

In a democracy a people need a well-developed system for providing reliable, biased and unbiased, news that we can build, hold our elected -- we can use to hold our elected and nonelected public officials accountable. Just one biased version is not enough.

Just a few decision makers can decide what kind of news we can hear and what will be available to us. This is very dangerous to the proper functioning of our democracy.

I'm a consumer of news. After many years of experience, I have concluded that a news system that is based primarily on advertising revenue doesn't work very well. There's a difference between entertainment and

news.

I can remember when our newspaper, radio, and cable TV systems were locally owned. I could talk to the owners personally, and they had a vested interest in the welfare of our community. The owners of our mega media systems do not. To them, central Maine is just a small profit center, something that may show up on financial statements.

I'm getting mixed up here.

Something about the number of people buying newspapers is declining. I get most of my news -- local news through the newspaper, but I am concerned that with reduced subscriptions, that this may go away and will not be replaced by a national media system to give us local news.

MR. ENSSLIN: Thank you, Elery. Your time is up.

(Audience applause.)

Are you Mark LaPointe?

MR. LaPOINTE: Yeah.

MR. ENSSLIN: You have two minutes.

MR. LaPOINTE: First of all, thank you for coming to Maine. And having said that, though, I respectfully ask, what have you been doing over the last 20 years? You know, the only time I hear from you is when Janet Jackson flashes a boob, and, to be quite honest with

you, the speech I hear on TV on a daily basis is as disgusting, if not more disgusting, than what happened at the Super Bowl.

(Audience applause.)

And also, I hear these fine people talking about public service, but what I call public service is keeping your government accountable. And how you keep them accountable is through independent journalism, and not something that's ripped off the AP and then disseminated and then it's talked about again, and thus we've the most diverse we've ever been in this country's history, at least since I've been alive. And why is that? Because it's misinformation after misinformation, and it creates arguments. And it creates an argument based on false facts. And I'm sorry, but we live in a society that's better than that. And I would humbly ask that you would please get up from your chairs and in your board rooms and say, you know what, we have a problem in this country, and we're becoming -- we're morphing into something that is dangerous. And I don't care about the left or the right, whoever is right or wrong, it's all about protecting my children and make -- and they're girls, and I worry about women's futures because the testosterone that's on the TV nowadays is bigoted towards women. And these newscasters that shine

up their legs and they want you to look at their legs and they want it to be sex and they want it to -- to titillate you. And, you know, kids used to get titillated from the Price Is Right. That's associated like buying something with sex. But now we're getting news associated with sex. And I'm sorry, it's disgusting and it's got to stop and I -- I just -- I thank you for coming. And I don't mean to be rude, but I feel passionately about this, and please stop the insanity that's going on in the media right now. Please.

(Audience applause.)

MR. ENSSLIN: Thank you.

Paul Drowns. Paul, you have two minutes.

MR. DROWNS: Hi. Probably several things I should say, first. I'm primarily, in my mind, a food activist. I'm a chef. I teach traditional cuisine. I look at the whole world in terms of food.

Secondly, I belong probably to more groups than I can even count. I stay up at night. I look, I read, I'm a news freak. The thing that frustrates me most about the media today, we've heard evidence tonight --

AUDIENCE MEMBER: We can't hear.

MR. DROWNS: We've heard evidence tonight of some people talking about what the media is doing locally to

help during emergencies, to help with crises, to help with health. Those things are nice. That's also part of the law.

What I don't see in the media is fair and balanced news. What I don't see in the media is news itself.

AUDIENCE MEMBER: That's right. Infotainment.

MR. DROWN: I have to go to the Internet. I have to go to Al Jazeera. I have to read foreign press. I have to look all over the world to find news. I even have to look all over the world through the Internet to find local news.

Here in Portland, we've got a diverse community. You've fallen into a hotbed of localism. Very strong, very strong sense of localism in the State of Maine. We've also got a fair population of Somali's. We've also got a fair population of Ethiopians, Cambodians, Thai's, and I don't see any of these people represented whatsoever in the media on a regular basis.

Something comes up, a little bit of crime, a little bit of an incident, there's a mention; but there is no involvement. Some of the low-power stations do include. I'd like to see more of that. I think the whole world has become a smaller, smaller, smaller place over time. We're rubbing up against each other more and more and more, but I don't see the diversity