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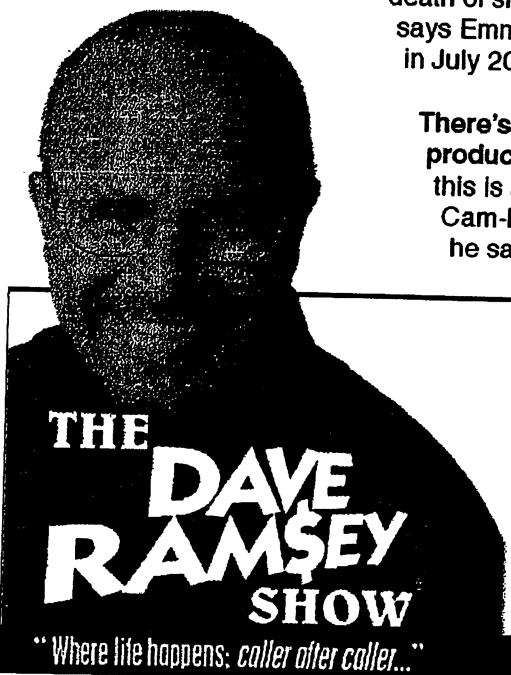
Editor: Tom Taylor (609) 883-3321

The FCC says "Freeze." We shouldn't be surprised that the Commission follows up last Friday's eyebrow-raising victory at the 3rd Circuit Appeals Court on radio ownership rules with a freeze on the filing of Forms 301, 314 and 315. As *Inside Radio* told you in yesterday afternoon's e-mail headlines — this temporarily ices the filing of any station sales. That includes applying for a Construction Permit (Form 301) or a sale of a CP or license (Form 314) or a sale of the corporation that's a licenseholder (Form 315). Reorganizations that involve transfer of control use Form 316 — and they're unaffected by yesterday's freeze.

★ **The filing freeze is inconvenient, but not unexpected.** And it won't last long. We suspect the Media Bureau is already stocked with new forms in anticipation of the appeals court about-face. It will take broadcasters longer to get used to the new Arbitron-market rules than for the Media Bureau staff. Meanwhile there will have to be a Rulemaking on creating a standard for non-rated markets. And lest you think we're talking about a tiny number of stations — more than 40% of U.S. stations are in non-Arbitron-rated areas. Broker Mike Bergner probably speaks for many in his profession when he tells us he welcomes some certainty: "I was against these new rules — but I'd rather process deals under rules that the FCC likes."

New York Post: Emmis goes to court to keep Clear Channel from using "Star" in New York. That's Star, as in the former Hot 97 morning show personality Troi Torain. He's been working for Clear Channel based at WPHH, Hartford with partner Buc Wild. Now he tells the Post his one-year non-compete with Emmis' WQHT is up and he should be free to work in the market again. Emmis is suing both Clear Channel — owner of potential Star employer WWPR-FM — and Torain himself. The Emmis suit disputes the non-compete part of Star's contract and alleges "fraud" and "unfair competition" by Clear Channel. Star also tells the paper's John Mainelli that Emmis tried to bring him back to Hot 97 earlier this year in a deal "for millions." But they couldn't get it done. This gets public and messy: Star alleges that his two week suspension in 2001 after some comments about the plane crash death of singer Aaliyah was "arranged" for publicity purposes. Clear Channel says Emmis took Star off the air in May 2003 and permanently suspended him in July 2003 — but aims to prevent him from working again until March 2005.

There's an alternate digital system for AM — and Leonard Kahn's producing exciters for it now. The AM-band Innovator tells *Inside Radio* this is an "emergency production run" of broadcast exciters for his own Cam-D system — and he calls it an "emergency" because of the damage he says iBiquity's HD Radio will do to nighttime AM signals. He firmly



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* Arbitron Spring '04. AQH share increase. ** Adts 25-54

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