

CHARACTER RELATED ALLEGATIONS

Character related allegations have been raised in a petition to deny filed on September 1, 2004 by Right to Decency, Inc. and American Decency Association against the application for renewal of license of WKRK-FM Detroit, Michigan, FCC File No. BRH-20040601BHZ. The licensee of WKRK-FM (now station WXYT-FM) and the applicant are commonly owned. The Petitioners suggest that the licensee of WKRK-FM (now station WXYT-FM) lacks the basic character qualifications to be a Commission licensee because of alleged violations of the Commission's rule on the broadcast of indecent material.

On November 23, 2004, the FCC approved a Consent Decree entered by Viacom Inc. (nka CBS Corporation)("Viacom")¹ then the ultimate owner of the applicant and WKRK-FM, which resolved all allegations that Viacom and its licensee subsidiaries had violated the broadcast indecency laws with respect to any material broadcast before that date, with the exception of the CBS Television Network's coverage of the Super Bowl half-time show on February 1, 2004. In its order approving the Consent Decree, the Commission stated that "there are no substantial and material questions of fact in regard to these matters as to whether Viacom possesses the basic qualifications, including its character qualifications, to hold or obtain any FCC licenses or authorizations." *In the Matter of Viacom Inc., et al.*, 19 FCC Rcd. 23100 (2004), recon denied, 39 CR 896 (2006).

¹ As of December 31, 2005, Viacom effected a corporate reorganization in which the name of the ultimate parent company of its owned radio and television stations was changed to CBS Corporation.

ADVERSE FINDINGS STATEMENT

THERE HAVE BEEN NO REPORTABLE ADVERSE FINDINGS OR FINAL ACTIONS MADE OR TAKEN AGAINST THE APPLICANT OR ITS PARENT COMPANIES OR AFFILIATES EXCEPT AS HAVE BEEN PREVIOUSLY REPORTED TO THE COMMISSION PURSUANT TO SECTION 1.65 OF THE COMMISSION'S RULES AND IN OTHER MAJOR APPLICATIONS FILED WITH THE COMMISSION.