

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

In the Matter of)	
Notice of Apparent)	File Nos. BR-900730YI
Liability for Forfeiture)	BRH-900730ZT
Issued to)	
Marin Broadcasting Company, Inc.)	
San Rafael, California)	

**MEMORANDUM OPINION AND ORDER
 AND NOTICE OF FORFEITURE**

Adopted: December 6, 1996 ; Released: December 13, 1996

By the Commission:

1. The Commission has before it for consideration a Notice of Apparent Liability ("NAL") for Forfeiture released May 2, 1996, directed to Marin Broadcasting Company, Inc., licensee of stations KTID(AM)/KTID-FM, San Rafael, California. See Marin Broadcasting Company, Inc., Debtor-in-Possession, 11 FCC Rcd 10582 (1996) ("Marin"). The Commission issued an NAL for \$15,000 to Marin Broadcasting Company, Inc., for failing to pursue sufficient Equal Employment Opportunity (EEO) recruitment efforts, and failing to maintain adequate records for meaningful self-assessment, in violation of the Commission's EEO Rule, 47 C.F.R. § 73.2080.

2. Marin Broadcasting Company, Inc., has not responded to the NAL. Accordingly, we incorporate herein by reference the licensee's record of inadequate efforts, as set forth in Marin. Based on that record, we conclude that our determination in Marin that the licensee's behavior warranted a \$15,000 forfeiture was appropriate.

3. Accordingly, **IT IS ORDERED**, pursuant to Section 503(b) of the Communications Act of 1934, as amended, 47 U.S.C. § 503(b), that Marin Broadcasting Company, Inc., FORFEIT to the United States the sum of fifteen thousand dollars (\$15,000) for failing to comply with the Commission's EEO provisions, 47 C.F.R. § 73.2080. Full payment of the forfeiture may be made by mailing to the Commission a check or similar instrument payable to the Federal Communications Commission within 30 days of the release date of this Order. In regard to this forfeiture proceeding, the licensee may take appropriate action as set forth in Section 1.80 of the Commission's Rules, 47 C.F.R. § 1.80, and Section 504(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 504(a), as summarized in the attachment to this Memorandum Opinion and Order and Notice of Forfeiture.

FEDERAL COMMUNICATIONS COMMISSION

William F. Caton
Acting Secretary

SEPARATE STATEMENT OF
COMMISSIONER RACHELLE B. CHONG

Re: Motion of AT&T Corp. to be Declared Non-Dominant for International Service

In declaring AT&T a non-dominant carrier in the market for international services, we lift the final vestige of dominant carrier regulation that exists over this company. This decision is consistent with my regulatory philosophy that competition should trump regulation and that similarly situated competitors should be treated similarly under our rules.

I write separately to acknowledge that although this decision narrows the existing regulatory disparity between AT&T and its competitors, it also recognizes that the market for international services continues to be marred by generic structural problems unrelated to AT&T's market position. The actions we take today will help expedite the trend toward full competition. Competition will provide the best solution for these structural problems. I also believe that, consistent with Congress' goals enunciated in the 1996 Telecommunications Act, new entrants into the U.S. international services market, such as the Bell Operating Companies, will provide the optimum solution to reduce high U.S. international calling prices.

Moreover, just as with our previous dominant carrier regulatory regime for AT&T's domestic services, I believe that the public interest is ill-served by a regulatory process that builds in delay for one service provider and forces it to show its hand to its competitors before it can introduce new service offerings or rate reductions in the market. By eliminating the longer tariff filing notice period applicable only to AT&T and not its competitors, we will help to encourage more price competition in the international services market. Finally, I believe that today's decision is another signal of our continuing steadfast resolve to push for vigorous competition in all foreign telecommunications markets, and that, in time, this procompetitive policy will produce results that solve the outstanding generic structural problems in the world market.