

Federal Communications Commission  
Enforcement Bureau  
Investigations and Hearings Division  
445 12th St., SW Room 3-B443  
Washington, DC 20554

August 9, 2000

Dear Madam or Sir:

My complaint concerns Radio Station WXQR 105.5, "Rock 105," from Cumulus Broadcasting out of Jacksonville, N.C. I heard the program while driving in Wilmington, North Carolina, with my 13 year old daughter, I believe it was Saturday, August 5, at 3:35 pm.

The language was as follows: *"So then I dropped my pants and showed Stacy my penis."* Something else. *"That was it. We were showing off our genitalia."* At that point I switched off the broadcast. The words penis and genitalia were specifically used in a sexual manner.

I spoke on August 7, 2000, with Darren Ariens, the disk jockey who was responsible for the program on which the obscene language was used.

Darren said that this language was part of a promo for their morning show that the station runs every 4-5 hours. He was very aggressive. This was not obscene, because it was medical language. Besides, my daughter heard that kind of thing before. It was strictly within FCC guidelines, and if I didn't like it, I could turn off the channel.

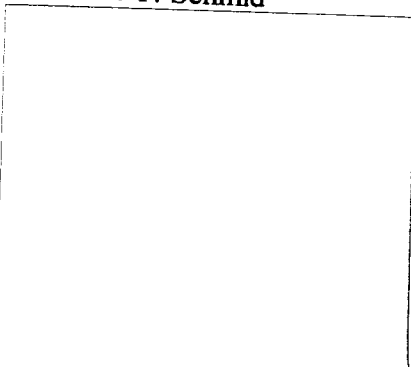
I then called on Aug 8 to speak with John Altman, the station manager. I told the person who answered that I was calling because I believe the broadcast was obscene, and was told he would return my call, but he did not.

In my view, the broadcast clearly meets the three-prong test indicated in the materials you sent me: (1) it appeals to prurient interest; (2) it depicts in an offensive way sexual conduct; and (3) the material lacks serious value (being used as a sexual come-on to the morning show). I haven't listened to the morning show.

I believe, given the information you have sent me, that the station is regularly in violation of FCC guidelines on obscenity, and given their response (and lack of response) to my telephone calls, that Station 105.5 will continue to be in violation until the FCC intervenes and straightens them out. Please keep me informed. Thank you.

Sincerely,

W. T. Schmid



*W. T. Schmid*