

March 25, 2013

**Via Overnight Delivery**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
9300 East Hampton Drive  
Capitol Heights, Maryland 20743

Attn: Jeffrey J. Gee  
Deputy Chief, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330

Re: **Station WKQI(FM) Detroit, Michigan**  
**File No. EB-09-IH-0834**

Dear Mr. Gee:

Clear Channel Communications, Inc. ("Clear Channel"), ultimate parent company of AMFM Radio Licenses, L.L.C., licensee of radio station WKQI(FM), Detroit, Michigan ("Station"), hereby responds to a Letter of Inquiry dated March 8, 2013, from the Deputy Chief, Investigations and Hearings Division, Enforcement Bureau (the "LOI"). The LOI concerns a complaint (the "Complaint") to the Commission received from a listener concerning an alleged violation of 18 U.S.C. § 1464 and the Commission's rule Section 73.3999: the broadcast of a discussion of bestiality involving children by Evan Rose a/k/a DJ Big Boy during his show (the "Big Boy Show") on December 3, 2008.

Based on information provided by Clear Channel's Market Manager, Nick Gnau, the truth and accuracy of which has been verified in the attached Declaration at Exhibit A and Affidavit at Exhibit B, Clear Channel responds as follows. The paragraph numbers below correspond to the paragraph numbers in the LOI.

1. To the best of Clear Channel's knowledge after reasonable investigation, Station did not broadcast any of the complained-of material. DJ Big Boy was terminated by Station on March 10, 2009, and no one else directly involved with the Big Boy Show is currently employed by Clear Channel. In fact, there are only three employees currently employed by Clear Channel (Thomas Carballo, Steve McGinnis and Rachel Giordano) who were employed by Station on December 3, 2008. None of those three employees were personally involved with the Big Boy Show, and none of them recall any of the specific allegations in the Complaint. Further, Station's public file does not contain any complaints similar to those in the Complaint.
2. Station does not have any recordings of the complained-of material. All recordings of Station are destroyed 120 days after airing, since Station does not have the capacity necessary to store broadcast recordings indefinitely. All recordings of the Big Boy Show, including those from December 3, 2008, have been destroyed by Station in the ordinary course of business.
3. To the best of Clear Channel's knowledge after reasonable investigation, Station did not broadcast any of the complained-of material, and all of the allegations in the Complaint are incorrect.
4. The following documents are produced in support of Station's responses above:

Exhibit A Declaration of Nick Gnau, Market Manager

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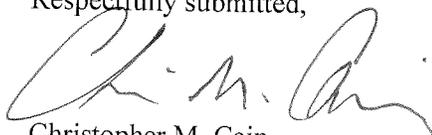
Exhibit B Affidavit of Nick Gnau, Market Manager

5. All information has been provided above.

Clear Channel trusts that this letter fully responds to the Commission's inquiry.

I hereby declare under penalty of perjury that, to the best of my knowledge, information, and belief, the information contained herein is true and accurate. If further questions arise concerning this matter, please contact the undersigned.

Respectfully submitted,



Christopher M. Cain  
VP, Associate General Counsel - Radio

Enclosures

cc: Gregory Simon via e-mail  
[Gregory.Simon@fcc.gov](mailto:Gregory.Simon@fcc.gov)

Anjali K. Singh via e-mail  
[Anjali.Singh@fcc.gov](mailto:Anjali.Singh@fcc.gov)

Jeffrey Gee via e-mail  
[Jeffrey.Gee@fcc.gov](mailto:Jeffrey.Gee@fcc.gov)

## DECLARATION OF NICK GNAU

The undersigned declares under penalty of perjury that the following is true and correct:

I am Market Manager for Clear Channel Communications, Inc. in Detroit, Michigan and have held that position since June of 2012. In such capacity, I am personally responsible for the operation of radio station WKQI(FM) (the "Station"). I have personally investigated the allegations set forth in the FCC's Letter of Inquiry dated March 8, 2013 (the "LOI") investigating a complaint (the "Complaint") related to a statements made by Evan Rose a/k/a DJ Big Boy during his show (the "Big Boy Show") on December 3, 2008.

The Station does not have any recordings of the complained-of material. All recordings of the Station are destroyed 120 days after airing, since the Station does not have the capacity necessary to store broadcast recordings indefinitely. All recordings of the Big Boy Show, including those from December 3, 2008, have been destroyed by the Station in the ordinary course of business. Further, the Station's public file does not contain any complaints similar to those in the Complaint.

Although I was not employed by the Station on December 3, 2008, I have reached out to any current Station employees who might have knowledge of the broadcast and any former Station employees who are still employed by Clear Channel. DJ Big Boy was terminated by the Station on March 10, 2009, and no one else directly involved with the Big Boy Show is currently employed by Clear Channel. In fact, there are only three employees currently employed by Clear Channel (Thomas Carballo, Steve McGinnis and Rachel Giordano) who were employed by the Station on December 3, 2008. None of those three employees were personally involved with the Big Boy Show, and all three have indicated that, while Big Boy did say controversial things on the air, they have no recollection of any of the specific allegations in the Complaint.

The foregoing is true to the best of my knowledge.

Executed this March 25, 2013.

  
\_\_\_\_\_  
Nick Gnau

THE STATE OF MICHIGAN )  
COUNTY OF WAYNE )

**AFFIDAVIT**

Before me, the undersigned authority, personally appeared Nick Gnau, who being by me duly sworn, deposed as follows:

My name is Nick Gnau, and I am over eighteen (18) years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am Market Manager for AMFM Radio Licenses, L.L.C. ("AMFM Radio") station WKQI(FM). In that capacity, I have oversight of the station.

I have reviewed the Commission's Letter of Inquiry, dated March 8, 2013, to AMFM Radio (the "LOI"), and investigated the allegations contained therein.

I have read the foregoing response of Clear Channel Communications, Inc. ("Clear Channel"), owner of AMFM Radio, and it is in all ways accurate.

The foregoing is true to the best of my knowledge and belief.

  
\_\_\_\_\_  
NICK GNAU

SWORN TO AND SUBSCRIBED before me on this 25<sup>TH</sup> day of MARCH, 2013.

  
\_\_\_\_\_  
NOTARY PUBLIC - STATE OF MICHIGAN

My Commission Expires: 12/9/19



## Shipment Receipt

**Address Information****Ship to:**

Marlene H. Dortch  
Federal Communications  
Commission  
9300 E HAMPTON DR

**Ship from:**

Gracie Dominguez  
Clear Channel  
200 EAST BASSE ROAD

CAPITOL HEIGHTS, MD SAN ANTONIO, TX  
207433813 78209  
US US  
2108323356 2108323356

**Shipment Information:**

Tracking no.: 799363269360  
Ship date: 03/25/2013  
Estimated shipping charges: 6.12

**Package Information**

Service type: Priority Overnight  
Package type: FedEx Envelope  
Number of packages: 1  
Total weight: 1 LBS  
Declared Value: 0.00 USD  
Special Services:  
Pickup/Drop-off: Use an already scheduled pickup at my location

**Billing Information:**

Bill transportation to: Corporate Basse-873  
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Department no.:

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