

SUPREME COURT OF THE UNITED STATES

No. 92-486

UNITED STATES AND FEDERAL COMMUNICATIONS  
COMMISSION, PETITIONERS v. EDGE BROADCASTING  
COMPANY, T/A POWER 94

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF  
APPEALS FOR THE FOURTH CIRCUIT  
[June 25, 1993]

JUSTICE SOUTER, with whom JUSTICE KENNEDY joins,  
concurring in part.

I agree with the Court that the restriction at issue here is constitutional, under our decision in *Central Hudson Gas & Electric Corp. v. Public Service Comm'n of New York*, 447 U. S. 557 (1980), even if that restriction is judged “as applied to Edge itself.” *Ante*, at 12. I accordingly believe it unnecessary to decide whether the restriction might appropriately be reviewed at a more lenient level of generality, and I take no position on that question.