

EXHIBIT 1
WAY MEDIA, INC.
TECHNICAL AND LPFM PRECLUSION STATEMENT

NEW TRANSLATOR – TUNNEL HILLS, KY FACID 144748

FCC FORM 349

This Technical Statement is in support of an amendment to an FCC form 349 Auction 83 Short Form Application BNPFT-20030313AKZ filed by WAY Media, Inc. (“WAY”) for a new FM translator station to serve Tunnel Hills, KY. This amendment will demonstrate Non-Preclusion of LPFM channels by the technical data noted herein and in the “Tech Box” in Section III-A. This amendment specifies the technical parameters different than those originally requested; a new location, height above average terrain and effective radiated power on adjacent channel 221-D at Tunnel Hills, KY.

PRIMARY STATION:

The proposed translator facility will rebroadcast station WTHX (FM) FACID 36632, Vine Grove, KY, owned by Elizabethtown CBC, Inc. and will be classified as a fill-in signal for the station. WAY has secured permission from Elizabethtown CBC, Inc to rebroadcast the station on the proposed translator facility.

TECHNICAL PARAMETERS:

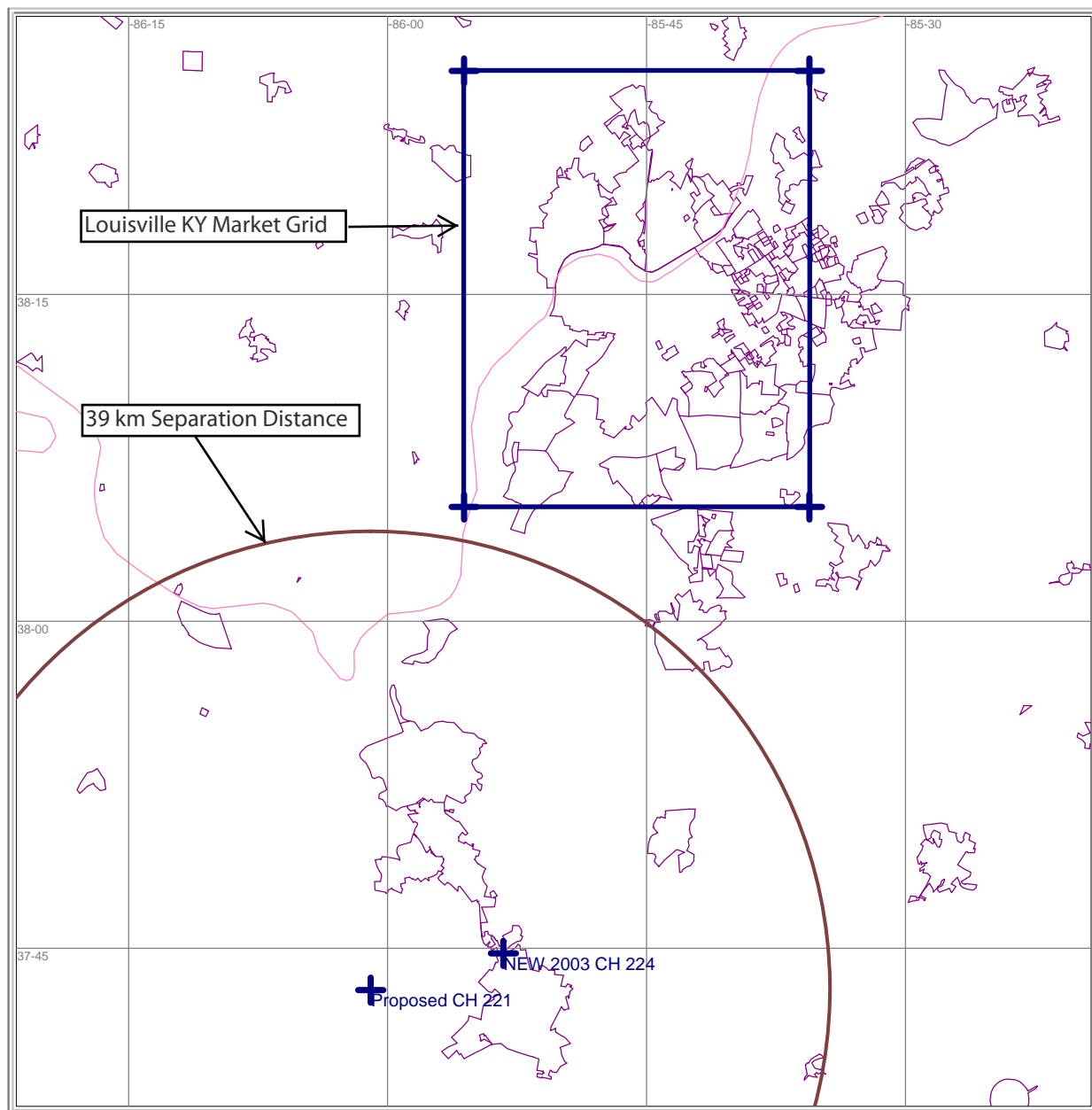
The technical parameters specified in Section III-A “Tech Box” are the modified to a new location, effective radiated power and height above average terrain on an adjacent channel. In order to meet LPFM non-preclusion, a move from the originally requested Channel 224-D to third-adjacent channel 221-D is being made. As the proposed 60dBu (50,50) contour overlaps the original 60dBu (50,50) contour by 32.58% and the requested channel change is +/-3 from the originally proposed operation, this instant request qualifies as a minor change application.

LPFM CONSIDERATION:

The proposed facility is located in rural Hardin County, KY, which is not a part of the Louisville #54 Arbitron Market, a “Spectrum Limited” LPFM market.

The original 2003 short-form proposed location was within 39km of the LPFM Grid for the Louisville Market. The newly proposed location is not within 39km of that Grid as demonstrated in Attachment #1. As such no further LPFM preclusion data is being presented.

Exhibit #1 Attachment #1
WAY Media Inc.
LPFM Market Grid Map



State Borders City Borders Lat/Lon Grid

Map Scale: 1:561664 1 cm = 5.62 km V/H Size: 91.41 x 90.17 km