

EXHIBIT 18-4

Television Main Studio Waiver Requests

Salina, Kansas

KAAS-TV, Salina, Kansas has no grade B contour overlap with KSAS-TV, Wichita, Kansas, and thus does not require a contour overlap waiver. KAAS-TV, however, has operated as a satellite of KSAS-TV at least since CCC acquired the station in 1990. Since that time, KAAS-TV has delivered programming, including programming addressing needs and interests of residents of Salina, provided through co-owned KSAS-TV. The Commission has approved this operating pattern through grants of license renewals and other applications involving these commonly owned and operated stations since 1990. Despite the absence of grade B overlap, the Commission consistently has identified and treated KAAS-TV as a "satellite" station of KSAS-TV.¹ To the extent the Commission may deem it required, the Transferees request approval for the continuation of this historic operating arrangement, including any necessary waiver of the Commission's main studio requirements.

Throughout the time that CCC has owned and operated KAAS-TV as a satellite of KSAS-TV, it has provided service responsive to the needs and interests of the residents of Salina, and has retained significant contact with those residents. KSAS-TV's newscasts, which are rebroadcast on KAAS-TV, provide coverage of news events, weather, and sports important to the residents of Salina. During the fall, the stations'

¹ See, e.g. *Shareholders of AMFM, Inc.*, 15 FCC Rcd 16062, 16074-16075 (2000); see also Letter from Kathleen Kirby to Marlene H. Dortch, Secretary (dated September 15, 2006) (containing an FCC Form 159-E showing a 2006 regulatory fee payment for KAAS as a satellite station).

“Friday Night” sportscasts include coverage of scores and highlights from high school football games involving Salina schools. Community Calendar spots broadcast throughout the year also include events occurring in Salina. CCC maintains a public inspection file in Salina for review by members of the community, and maintains a toll-free telephone number through which residents can contact the station. CCC’s website for the stations also allows viewers to obtain information about the station and contact CCC with their concerns.

It is unlikely that KAAS-TV could survive if forced to operate as a stand-alone station in a manner different from its current operating arrangement with KSAS-TV. No other full-service television station is licensed to Salina, which is located in the Wichita-Hutchinson Plus, Kansas Designated Market Area (DMA). Although one of the geographically largest DMAs in the country, Wichita-Hutchinson Plus is only the 67th-ranked DMA based on population, and ranks only 72nd in television revenue.² All four of the major network affiliates in the market operate satellite television stations to provide service to this dispersed, rural market. KAAS-TV provides over-the-air service to only a small area of the market, and its service area does not reach Wichita, the economic and population center of the market. As noted in the attached letter from Mr. Cobb, it is unlikely that KAAS-TV could survive as a stand-alone station and it is unlikely that any other operator would be available or able to operate the station in a manner different from the current arrangement.³

As described herein, CCC has been able to provide over-the-air television service to residents of Salina only through its existing arrangement involving operation

² See Letter of Brian E. Cobb, at Attachment A.

³ *Id.*

of KAAS-TV as a satellite of KSAS-TV. The Commission has recognized the public interest benefit of this arrangement and has consistently identified KAAS-TV as a satellite of KSAS-TV. Only by approving the continuation of this historic operating arrangement following the consummation of the transfer of control proposed in this application can the Commission enable KAAS-TV to maintain its economic viability and continued service to Salina. Accordingly, Transferees hereby request continued approval of this relationship, including any necessary waiver of the Commission's main studio requirements.

Hoisington, Kansas

On February 12, 1998, the FCC granted Clear Channel Communications, Inc. a waiver of Section 73.1125 of its Rules to allow KOCW(TV), Hoisington, Kansas to operate its main studio from the same location as co-owned station KSAS-TV, Wichita, Kansas.⁴

In granting the main studio waiver, the Commission relied on CCC's showing regarding the unlikelihood that Hoisington could support the maintenance of a main studio. CCC had asserted that the town is simply too small to make the construction of a main studio there economically feasible. To support this claim, it cited official government statistics estimating that Hoisington's population in 1996 was 2,992 residents, the fourth consecutive yearly decline.⁵ Nearly half a decade later, the

⁴ See Letter from Barbara A. Kreisman, Chief, Video Services Division to John M. Burgett (dated Feb. 12, 1998) at Attachment B.

⁵ Population Estimates Program, Population Division, U.S. Bureau of the Census, released Nov. 18, 1997.

Census found that the town's population had decreased further to 2,975.⁶ As noted in its 1996 waiver request, Hoisington is located almost 100 miles away from Wichita, the nearest major metropolitan area.⁷

Next, as noted in support of its 1996 main studio waiver request, the significant lack of interest in the allotment following the release of the Commission's *Report and Order* on September 28, 1993 demonstrated that Hoisington and the surrounding area are too small to justify the expense of constructing a main studio. The allotment remained vacant until July 23, 1996, when CCC filed its application.⁸ No competing applications or counterproposals were filed.

Finally, CCC maintains local ties to Hoisington through several means. First, CCC maintains a copy of the KOCW public inspection file at the Hoisington Public Library and has a toll free number which can be used by Hoisington residents to reach the station. Additionally, KOCW broadcasts news and weather that covers Hoisington. Lastly, CCC maintains a station website through which Hoisington residents can communicate directly with KOCW personnel.

Based on the foregoing, continued waiver of the main studio rule for KOCW is warranted.

⁶ American FactFinder, Hoisington, Kansas, Census 2000 Demographic Profile Highlights, U.S. Census Bureau at http://factfinder.census.gov/servlet/SAFFacts?_event=Search&geo_id=&_geoContext=&_street=&_county=hoisington&_cityTown=hoisington&_state=04000US20&_zip=&_lang=en&_sse=on&pctxt=fph&pgsl=010&show_2003_tab=&redirect=Y.

⁷ See Rand McNally Road Atlas 2007.

⁸ See FCC File No. BPCT-960723KT.

ATTACHMENT A

Statement of Brian E. Cobb

Regarding

KSAS-TV, Wichita and KAAS-TV, Salina, Kansas

December 7, 2006

Ms. Donna Gregg
Chief-Media Bureau
Federal Communications Commission
445 12th St. S.W.
Room 3- C740
Washington, D. C. 20554

Re: Transfer of Control:

KSAS-TV, Wichita, Kansas (Facility ID 11911)
KAAS-TV, Salina, Kansas (Facility ID 11912)

Dear Ms. Gregg:

In regard to the instant transfer application, I have been requested to comment on the continued operation KAAS-TV as a satellite of KSAS. This letter addresses the feasibility of operating and marketing the station as a full service stand alone operation versus its continued operation as a satellite.

By way of background, I have over thirty-five years of experience in the broadcast industry as an owner, manager and broker of broadcast properties. I am President of CobbCorp, a media brokerage and investment and merchant banking firm specializing in television station transactions. I was a founding member of Media Venture Partners, a nationally recognized media brokerage firm, and I was responsible for the appraisal and brokerage of television stations for that firm. Over the past twenty years, I have been involved in the brokerage of more television stations than any other broker. I am a past president of the National Association of Media Brokers and regularly speak on industry panels.

Having acted as broker in two transactions in the market, I am familiar with the Wichita market and the television stations' signals, the level of competition among the stations and other relevant market data. I believe I am qualified to reach certain conclusions concerning the subject stations' positions in the market.

There are six different owners with full power commercial television outlets in the market. All four of the major network affiliates have satellites to cover the DMA. Although the market is ranked as the 67th largest according to Nielsen, it ranks 72nd in television revenue according to BIA.

Ms. Gregg
December 7, 2006
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With such a high level of competition in the Wichita market, it would not be viable for KAAS-TV to be forced to compete with the other full power stations that all have network affiliations. The station would not have an affiliation available capable of competing. Additionally, KAAS-TV does not provide a signal strong enough to cover the market nor does it reach Wichita, the largest city in the DMA.

If the station was forced to operate as a stand alone and compete in the market, not only would it suffer financially, but the viewers in its coverage area would be denied network programming and news and weather pertinent to their lives. The station is a good example of why certain outlets should operate as satellites.

As a broker, I would be hesitant to offer this station on the market knowing that a prospective buyer would be hard pressed to find a successful format.

Sincerely,



Brian E. Cobb
President

ATTACHMENT B

Letter from Barbara A. Kreisman, Chief, Video Services Division to John M. Burgett
(dated Feb. 12, 1998)



Federal Communications Commission
Washington, D.C. 20554

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FEB 12 1998

Clear Channel Television
Licenses, Inc.
c/o John M. Burgett, Esq.
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, DC 20006

Re: BPCT-960723KT
CH-14
Hoisington, KS

Dear Gentlemen:

This is in reference to the above-captioned application for a new commercial television station to operate on Channel 14, Hoisington, Kansas. You propose to co-locate the main studio for the station with the main studio of KSAS-TV, Wichita, Kansas, which is commonly owned. Section 73.1125 of the Commission's rules requires that each broadcast station maintain a main studio within the station's principal community contour. You are, therefore, requesting a waiver of this rule.

In support of your waiver request, you state that Hoisington is too small to make the construction of a main studio there economically feasible. The population of Hoisington was only 2,992 residents in 1996, and this represented the fourth consecutive yearly decline. Moreover, Hoisington is located almost 100 miles away from Wichita, the nearest major metropolitan area. You also point out the significant lack of interest in the channel allotment for Hoisington, following the Report and Order which was released by the Commission in September, 1993. The allotment remained vacant until July of 1996, when Clear Channel filed its application. No competing applications were filed in response to the cut-off date designated for competing applicants. You further state that it is highly unlikely that you will continue your effort to obtain a construction permit for Hoisington, if the Commission requires the construction of a full-service facility in Hoisington. Therefore, you submit, the people of Hoisington would be deprived of their first local television service.

As further support for your waiver request, you state that community leaders of Hoisington will be contacted on a routine basis, either in person or by telephone, to ascertain the needs and interests of the Hoisington area and programming will be broadcast specifically addressing those needs and interests. The programming will include coverage of local news, weather and sports events occurring in the Hoisington area. As further commitment to the Hoisington residents, you plan to establish an Internet site on the World Wide Web, allowing the Hoisington residents to communicate directly with the station concerning its programming and operation.

Based on your showing and representations, we are persuaded that the public interest would be served by allowing the station to be constructed without a main studio in the Hoisington area. We believe you have shown the unlikelihood that Hoisington could support the maintenance of a main studio. Accordingly, we will grant your request for waiver of the main studio rule. As required by the Commission, the station must establish a toll-free number that will be published in the local telephone directories and will permit residents of Hoisington to stay in contact with the studio in Wichita, Kansas; and must establish the public inspection file at a convenient location in Hoisington where its contents will be accessible during regular business hours.

Accordingly, the request of Clear Channel Television Licensee, Channel 14, Hoisington, Kansas for waiver of Section 73.1125 of the Commission's Rules IS GRANTED.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara Kreisman', written over a horizontal line.

Barbara Kreisman
Chief, Video Services Division
Mass Media Bureau