

DEMONSTRATION OF COMPLIANCE WITH MULTIPLE OWNERSHIP RULES

Rincon License Subsidiary LLC (“Rincon”) is the proposed assignee in the present FCC Form 314 application of the following seven radio stations:

KTMS, 990 kHz AM, Santa Barbara, CA
KBKO, 1490 kHz AM, Santa Barbara, CA
KSBL, 101.7 MHz FM, Carpinteria, CA
KIST, 1340 kHz AM, Santa Barbara, CA
KTYD, 99.9 MHz FM, Santa Barbara, CA
KSPE-FM, 94.5 MHz FM, Ellwood, CA
KIST-FM, 107.7 MHz FM, Santa Barbara, CA

As set forth herein, Rincon will in fact be acquiring only six of the seven stations, as one of the stations will be spun off in a simultaneously filed application. Ownership of six of the stations fully complies with the Commission’s new multiple ownership regulations.¹

These seven stations are all “home” to the Arbitron Santa Barbara radio market. Rincon has no attributable ownership interest, whether by ownership, LMA, or JSA, in any other station in the Santa Barbara market.

The most recent available Arbitron data for the Santa Barbara radio market reveals that there are 17 commercial and noncommercial radio stations in the market. *See* the BIA FCC Geographic Market Definition for Santa Barbara, attached hereto.² Under the broadcast multiple ownership rules, in a radio market with between 15 and 29 commercial and noncommercial radio stations, an entity may lawfully own, operate, and control up to 6 radio stations, only 4 of which may be in one class. Thus, ownership of the six stations is permissible under the Commission’s rules.

Simultaneously with the filing of this application, Rincon is submitting an application on FCC Form 314 to assign two of the seven stations that it is acquiring to Santa Barbara Community Broadcasting Company (“SBCBC”). Rincon is proposing the assignment of stations KIST and KTMS to SBCBC. However, it is the intent of Rincon that only one of these stations will in fact be divested to SBCBC. Rincon is in the process of evaluating the two stations and a

¹ See 2002 Biennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 et al., Report and Order and Notice of Proposed Rulemaking, FCC 03-127, aff’d in part and remanded in part, *Prometheus Radio Project, et al. v. FCC*, 373 F.3d 372 (3rd Cir. 2004), stay modified, No. 03-3388 (Sept. 3, 2004) (“Report and Order”).

² The attached list indicates that the seven stations in the market for which assignment is being requested are licensed to Clear Channel, the assignor in the present application.

decision will be made as to which will be retained by Rincon, and which will be divested to SBCBC before the grant of the assignment applications, and the application for the divestiture to SBCBC will be amended to remove one of the two stations before that time.

Thus, Rincon will acquire six of these stations, while SBCBC will acquire one. As one party can hold up to six stations in a market consistent with the multiple ownership rules, this application is in compliance with those rules.



FCC Geographic Market Definition for Santa Barbara, CA

Call Letters	AM/FM	Freq	Station Type	Format	Home Market	Market Designtn		Owner	City & State of License	County of License
						Date	Rank			
KTMS	AM	990	C	News/Talk	Santa Barbara, CA	07/02/2003	211	p Clear Channel	Santa Barbara, CA	Santa Barbara
KBKO	AM	1490	C	Mexican	Santa Barbara, CA	07/02/2003	211	p Clear Channel	Santa Barbara, CA	Santa Barbara
KDB	FM	93.7	C	Classical	Santa Barbara, CA	07/02/2003	211	Pacific Broadcasting Company	Santa Barbara, CA	Santa Barbara
KZSB	AM	1290	C	News/Talk	Santa Barbara, CA	07/02/2003	211	Santa Barbara Broadcasting Inc	Santa Barbara, CA	Santa Barbara
KSBL	FM	101.7	C	AC	Santa Barbara, CA	07/02/2003	211	p Clear Channel	Carpinteria, CA	Santa Barbara
KIST	AM	1340	C	Sprts/Talk	Santa Barbara, CA	07/02/2003	211	p Clear Channel	Santa Barbara, CA	Santa Barbara
KRUZ	FM	97.5	C	Hot AC	Santa Barbara, CA	07/02/2003	211	Cumulus Broadcasting Inc	Santa Barbara, CA	Santa Barbara
KZER	AM	1250	C	Mexican	Santa Barbara, CA	07/02/2003	211	Lazer Broadcasting Corporation	Santa Barbara, CA	Santa Barbara
KMGQ	FM	106.3	C	Smooth	Santa Barbara, CA	07/02/2003	211	Cumulus Broadcasting Inc	Goleta, CA	Santa Barbara
KTYD	FM	99.9	C	AOR	Santa Barbara, CA	07/02/2003	211	p Clear Channel	Santa Barbara, CA	Santa Barbara
KSPE	FM	94.5	C	Mexican	Santa Barbara, CA	07/02/2003	211	p Clear Channel	Ellwood, CA	Santa Barbara
KJEE	FM	92.9	C	Modern	Santa Barbara, CA	07/02/2003	211	Montecito FM Inc	Montecito, CA	Santa Barbara
KIST	FM	107.7	C	Alternative	Santa Barbara, CA	07/02/2003	211	p Clear Channel	Santa Barbara, CA	Santa Barbara
KCSB	FM	91.9	NC	Variety	Santa Barbara, CA	07/02/2003	211	University of California	Santa Barbara, CA	Santa Barbara
KQSC	FM	88.7	NC	Classical	Santa Barbara, CA	07/02/2003	211	University of Southern California	Santa Barbara, CA	Santa Barbara
KRAZ	FM	105.9	C	Country	Santa Barbara, CA	07/02/2003	211	Knight Broadcasting Inc	Santa Ynez, CA	Santa Barbara
KSBX	FM	89.5	NC	Public	Santa Barbara, CA	01/06/2004	211	KCBX Inc	Santa Barbara, CA	Santa Barbara
Number of Stations in Geographic Market 17										
Previous Stations in Geographic Market										
KVYB	FM	103.3	C	Span/UrCH	Oxnard-Ventura, CA	07/27/2005	120	Cumulus Broadcasting Inc	Santa Barbara, CA	Santa Barbara

"C" - Commercial Station; "NC" - Non Commercial Station

"p" indicates pending sale to owner listed