

Exhibit 1**Statement Regarding Pending Construction Permit**

Cox Radio, Inc. (“Cox”), licensee of WBTS(FM), Doraville, Georgia, hereby requests that the Commission process the instant application independently from its currently pending construction permit application. As explained herein, it is in the public interest to process this second application while the first remains pending.

On May 1, 2006, Cox filed an application for a construction permit to relocate WBTS(FM) to a new tower site (FCC File No. BPH-20060501AOE). That application contains a request for a waiver of the Commission’s newspaper broadcast cross-ownership rule. In light of the pending media ownership proceeding,¹ Cox recognizes that it may take the Commission several months to process the May 1, 2006 application and waiver request. Moreover, upon grant it will take several additional months for Cox to construct the proposed facilities.

In the meantime, Cox requests that the Commission grant the instant application which proposes to move the WBTS(FM) antenna to the top of the station’s current tower. As described in Exhibit 5, this application does not implicate the newspaper cross-ownership rule, and Cox can implement these facilities within sixty days after obtaining FCC authority. Cox would then promptly license these facilities.

Allowing Cox to maintain two independent construction permits serves the public interest. Space at the top of the current WBTS(FM) tower only recently became available. By moving to this antenna position, Cox can maintain the station’s present

¹ See 2006 Quadrennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, *Further Notice of Proposed Rulemaking*, 21 FCC Rcd 8834 (2006).

contour and reduce the station's ERP from 74 kW to 40 kW. As a result, Cox will save significant energy costs. Cox will use these savings to better compete in the Atlanta Metro Market. Grant of the instant application will allow Cox to broadcast more efficiently and save energy while the Commission processes the May 1, 2006 construction permit application.

To the extent that expedited processing is allowed in this situation, Cox hereby requests that the Commission process the instant application on an expedited basis. Cox pledges to implement the modified facilities promptly so the public may benefit for the maximum amount of time from the proposed facilities.