

## **EXHIBIT**

### **Compliance with Multiple Ownership Requirements**

The parties seek the Commission's consent to the assignment of the licenses of 13 full-power television broadcast stations in twelve Designated Market Areas ("DMAs") from subsidiaries of CMG Media Corporation (f/k/a Terrier Media Buyer, Inc. and d/b/a Cox Media Group) ("CMG") to subsidiaries of Imagicomm Communications, LLC ("Imagicomm"). The proposed transaction complies in all respects with the Commission's multiple ownership rules.

**National Television Multiple Ownership Rule:** Section 73.3555(e) of the Commission's rules permits Imagicomm to own television stations which have an aggregate national audience reach of up to thirty-nine percent of U.S. television households. Imagicomm does not currently hold an attributable interest in any full-power television stations. Following consummation of the instant transaction, Imagicomm will have a national audience reach that is far less than 39%. Accordingly, the proposed transaction complies with the Commission's National Television Multiple Ownership Rule.

**Local Television Ownership Rule:** Section 73.3555(b) of the Commission's rules permits common ownership of two TV stations within the same DMA if at least one of the stations is not among the top-four ranked TV stations in the DMA based on the most recent all-day (9 a.m.-midnight) audience share percentages at the time the application is filed, as measured by a professional rating service such as Nielsen Media Research.

In eleven of the twelve DMAs in which Imagicomm proposes to acquire television stations from CMG, Imagicomm will acquire only one full-power station. In the Tulsa, Oklahoma DMA, Imagicomm proposes to acquire CMG's KMYT-TV, Tulsa, Oklahoma (Facility ID No. 54420) and KOKI-TV, Tulsa, Oklahoma (Facility ID No. 11910). Nielsen Media Research assigns both KMYT-TV and KOKI-TV to the Tulsa, Oklahoma DMA. Assignment of CMG's duopoly in this market to Imagicomm would comply with the Commission's TV duopoly standard.<sup>1</sup> Specifically, based on the most recent Nielsen all-day (9 a.m.-midnight) audience survey, CMG's Fox-affiliated KOKI-TV is the fourth (4th) ranked television station in the Tulsa, Oklahoma DMA and CMG's MyNetwork TV-affiliated KMYT-TV is the seventh (7<sup>th</sup>) ranked television station in the Tulsa, Oklahoma DMA.<sup>2</sup>

As described above, Imagicomm's acquisition of CMG's existing combination of full-power stations in Tulsa and the individual full-power stations in the eleven other markets complies with Section 73.3555(b).

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<sup>1</sup> The predicted noise-limited digital coverage contours of KOKI-TV and KMYT-TV have substantial overlap with the predicted noise-limited contours of each of the other full-service television broadcast stations in the Tulsa, Oklahoma DMA listed on Attachment 1, as shown by the contour study prepared by Du Treil, Lundin & Rackley, Inc., that is attached as Attachment 2.

<sup>2</sup> Viewership data referenced in this Exhibit will be submitted to the Commission under separate cover with a request that the data be held in confidence and not be made available for public inspection pursuant to applicable rules and policies of the Commission that restrict public access to confidential and proprietary information.

# **ATTACHMENT 1**

## **Full-Power TV Stations Licensed to Communities in the Tulsa, OK DMA (Sources: FCC CDBS Database and Nielsen Market Data)**

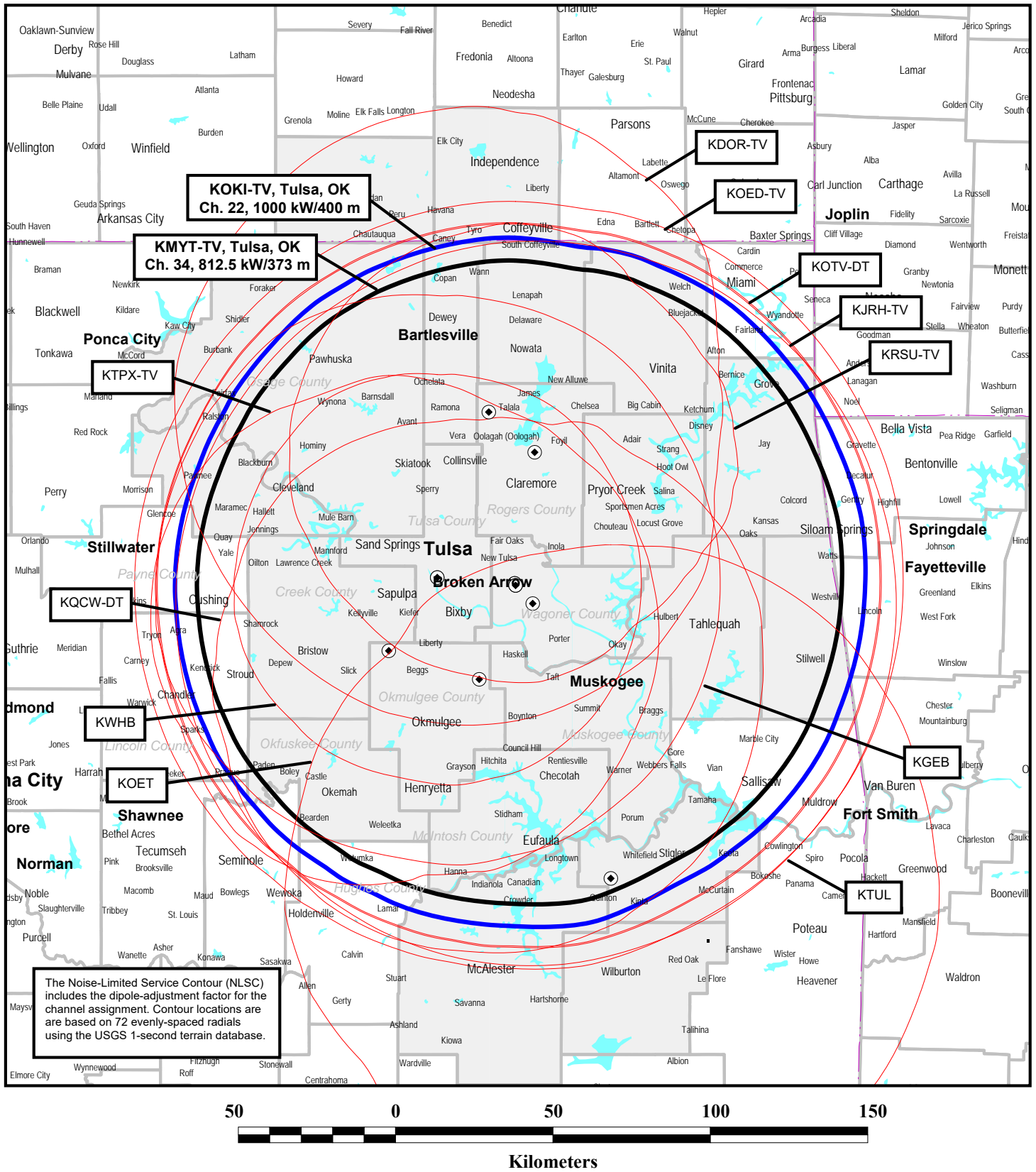
<b><u>Station Count</u></b>	<b><u>Station</u></b>	<b><u>Channel (Network)</u></b>	<b><u>Community of License</u></b>	<b><u>Licensee</u></b>
<b>1.</b>	KOTV-DT (35434)	6.1 (CBS)	Tulsa, OK	Griffin Licensing, L.L.C.
<b>2.</b>	KOKI-TV (11910)	23.1 (FOX)	Tulsa, OK	Cox Television Tulsa, LLC
<b>3.</b>	KTUL (35685)	8.1 (ABC)	Tulsa, OK	KTUL Licensee, LLC
<b>4.</b>	KJRH-TV (59439)	2.1 (NBC)	Tulsa, OK	Scripps Broadcasting Holdings LLC
<b>5.</b>	KQCW-DT (78322)	19.1 (CW)	Muskogee, OK	Griffin Licensing, L.L.C.
<b>6.</b>	KTPX-TV (7078)	44.1 (ION)	Okmulgee, OK	ION Television License LLC
<b>7.</b>	KMYT-TV (54420)	41.1 (IND)	Tulsa, OK	Cox Television Tulsa, LLC
<b>8.</b>	KOED-TV* (66195)	11.1 (PBS)	Tulsa, OK	Oklahoma Educational Television Authority
<b>9.</b>	KRSU-TV* (57431)	35.1 (PBS)	Claremore, OK	Board of Regents of the University of Oklahoma/Rogers State
<b>10.</b>	KWHB (37099)	47.1 (CTN)	Tulsa, OK	Christian Television of Oklahoma
<b>11.</b>	KGEB (24485)	53.1 (IND)	Tulsa, OK	University Broadcasting, Inc.
<b>12.</b>	KDOR-TV (1005)	17.1 (TBN)	Bartlesville, OK	Trinity Broadcasting of Texas, Inc.
<b>13.</b>	KOET* (50198)	3.1 (PBS)	Eufaula, OK	Oklahoma Educational Television Authority

\* Non-Commercial Educational Television Station

**ATTACHMENT 2**

**Contour Study Prepared by Du Treil, Lundin & Rackley, Inc.**

Figure 1



## FCC PREDICTED NOISE-LIMITED COVERAGE CONTOURS OF FULL-SERVICE TELEVISION STATIONS IN TULSA DMA