

## MULTIPLE OWNERSHIP CONSIDERATIONS

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West Virginia Radio Corporation of Elkins  
Elkins, WV

The principal community contour for the proposed modified WELK facilities will overlap the principal community contours of four other commonly owned stations:

WDNE(AM)	Elkins, WV	1240 kHz
WFBY(FM)	Buckhannon, WV	Channel 228B1
WDNE-FM	Elkins, WV	Channel 255B1
WBRB(FM)	Buckhannon, WV	Channel 267B

None of these five stations are presently assigned to a Nielsen Audio market. Nor are the communities of license of any of these five stations located within the geographic boundaries of any Nielsen Audio market. With the exception of the four stations listed above, the proposed WELK 70 dBu contour doesn't overlap the principal community contour of any other commonly owned station. As a result, the metro market methodology for defining radio markets is not applicable to this situation.

For this reason, as required by Paragraph 286 of the FCC's July 2, 2003 *Report and Order and Notice of Proposed Rulemaking* in MB Dockets 02-277, 01-235, 01-317, 00-244, and 03-130, contour overlap studies were conducted for the market defined by the principal community contour overlap between WDNE, WFBY, WDNE-FM, WBRB, and the proposed modified WELK facilities.<sup>1</sup> Attached is a map exhibit depicting the principal community contours for these five stations. The 5 mV/m daytime contour for WDNE was projected using the notified facilities from the FCC's License Management System ("LMS") and conductivity data from FCC Figure M3. The 3.16 mV/m contours for WFBY, WDNE-FM, and WBRB were projected using the notified facilities for each station from the LMS and terrain data extracted from the NGDC 30 second terrain data-

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<sup>1</sup>These contour overlap studies were conducted utilizing the modified contour overlap methodology outlined in Paragraph 285 of the FCC's July 2, 2003 *Report and Order and Notice of Proposed Rulemaking* in MB Dockets 02-277, 01-235, 01-317, 00-244, and 03-130.

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base. The proposed 3.16 mV/m contour for WELK was projected using the proposed facilities and terrain data extracted from the NGDC 30 second terrain database. As shown in this figure, there is an area of common principal community overlap between all five of these commonly owned stations. Thus, these five stations form a single contour based market for the purposes of this analysis.

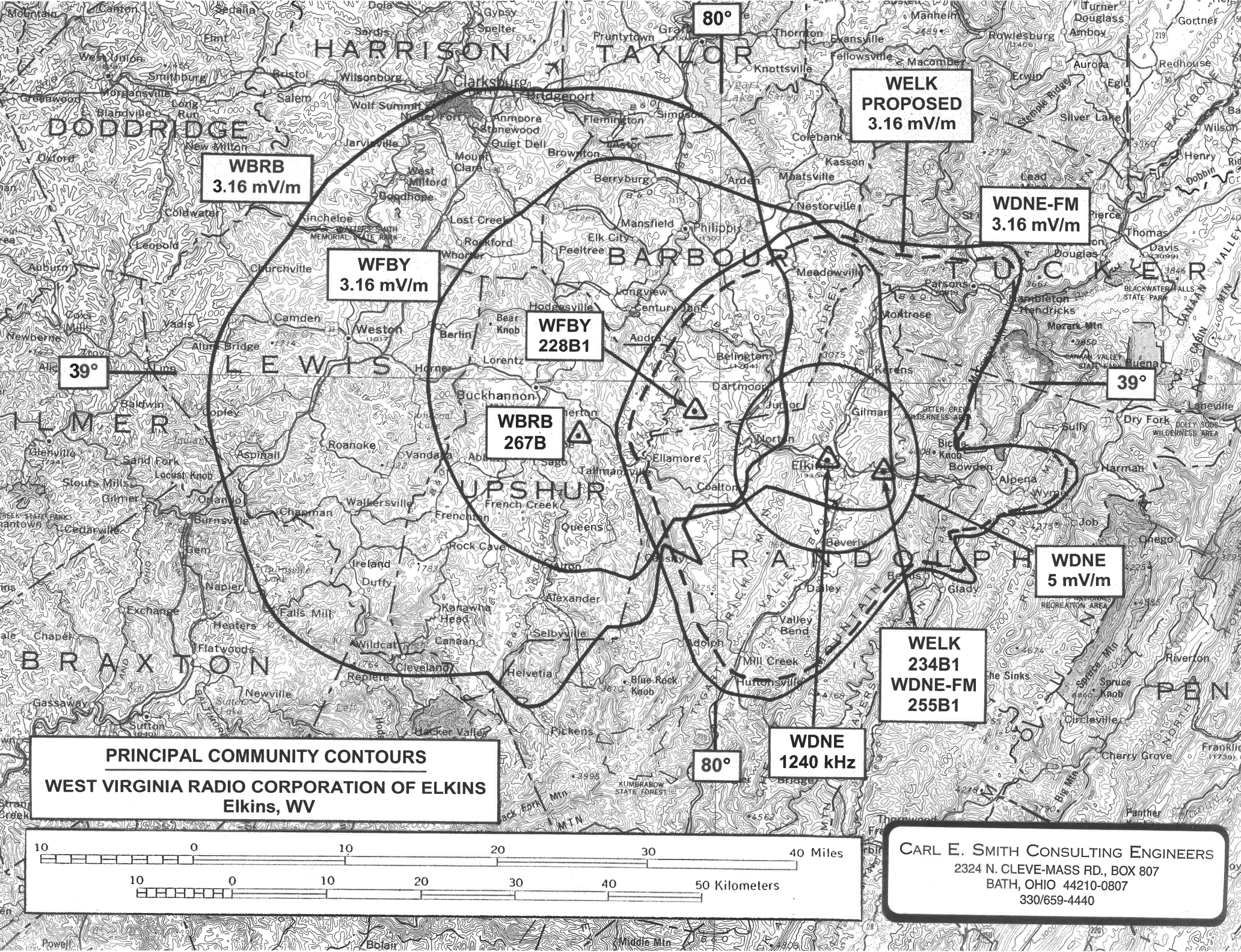
An attached figure shows the composite principal community contour for the contour based market formed by these five commonly owned stations. Also shown in this figure are the transmitter sites of all operating stations located within this contour. The attached table is a tabulation of the stations depicted in this figure. As shown by this data, there are 15 stations, including WDNE, WFBY, WELK, WDNE-FM, and WBRB in this contour based market. Thus, it can be safely said that there are at least 15 stations in the contour based market defined by the principal community contours of these five stations. In fact, the number of stations in this market would be even greater if stations located outside this composite contour whose principal community contours overlap this composite contour were included in this total. No such further analysis is required in this case, however, since, in markets containing 15 to 29 stations, Section 73.3555(a)(1)(iii) of the FCC Rules permits the common ownership of up to 6 commercial stations, not more than 4 of which are in the same service. The instant situation involves the common ownership of one AM station and four FM stations in this contour based market, which does not exceed the permitted maximum.

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Elkins, WV

Based upon the above information, the common ownership of these five stations will continue to fully comply with the local radio ownership restrictions specified in Section 73.3555 of the FCC Rules.



**WBRB**  
3.16 mV/m

**WFBY**  
3.16 mV/m

**WFBY**  
228B1

**WBRB**  
267B

**WELK**  
PROPOSED  
3.16 mV/m

**WDNE-FM**  
3.16 mV/m

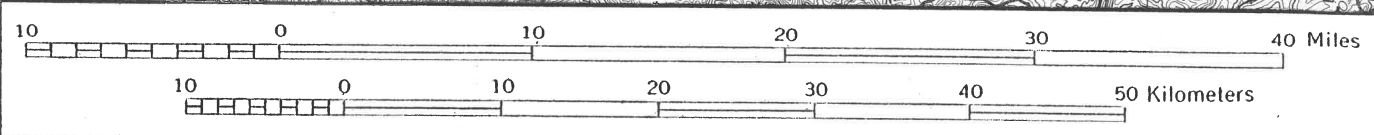
**WDNE**  
5 mV/m

**WELK**  
234B1  
**WDNE-FM**  
255B1

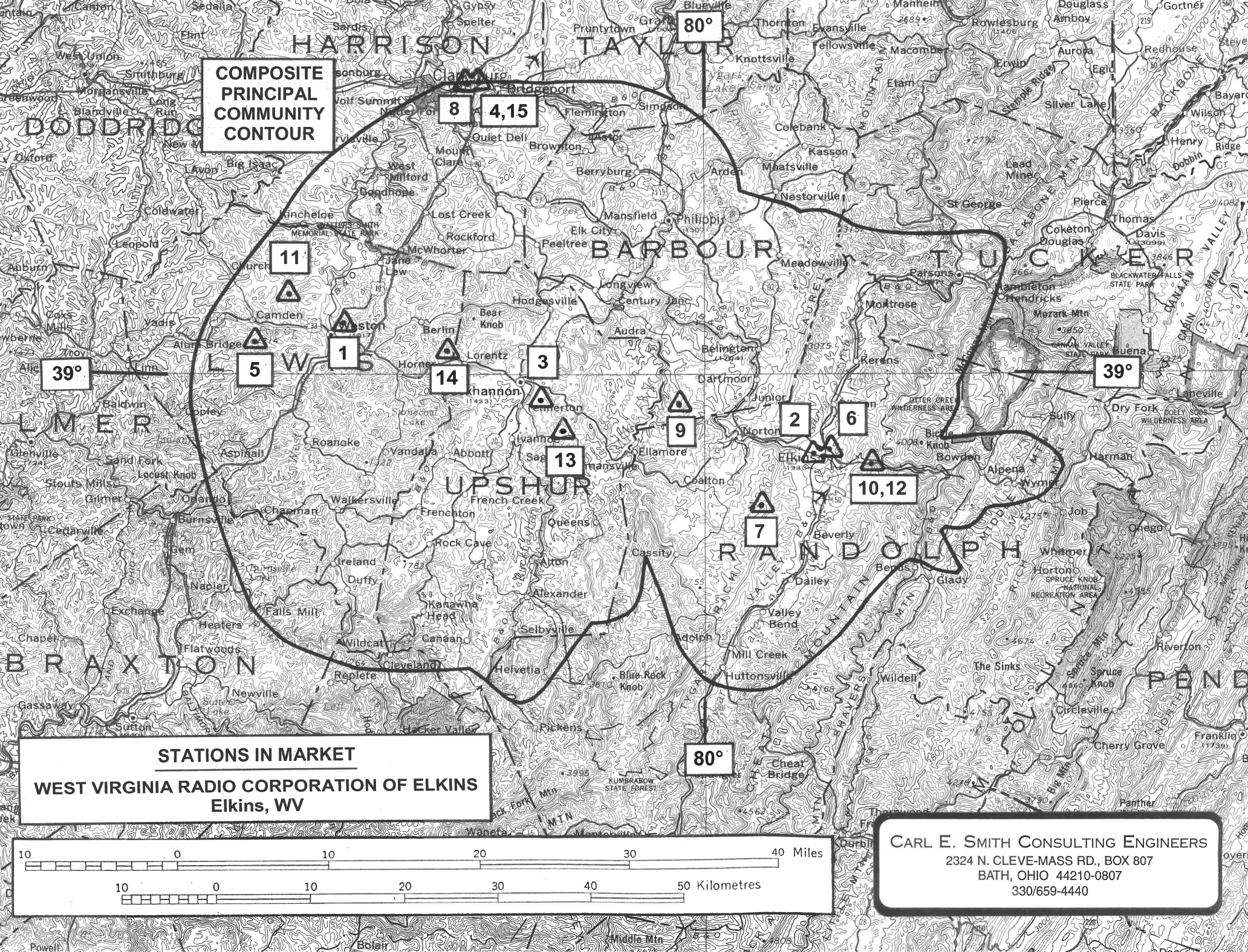
**WDNE**  
1240 kHz

**PRINCIPAL COMMUNITY CONTOURS**  
**WEST VIRGINIA RADIO CORPORATION OF ELKINS**  
**Elkins, WV**

**CARL E. SMITH CONSULTING ENGINEERS**  
2324 N. CLEVE-MASS RD., BOX 807  
BATH, OHIO 44210-0807  
330/659-4440







**COMPOSITE  
PRINCIPAL  
COMMUNITY  
CONTOUR**

**STATIONS IN MARKET**

**WEST VIRGINIA RADIO CORPORATION OF ELKINS  
Elkins, WV**

**CARL E. SMITH CONSULTING ENGINEERS**  
2324 N. CLEVE-MASS RD., BOX 807  
BATH, OHIO 44210-0807  
330/659-4440

STATIONS IN MARKET  
West Virginia Radio Corporation of Elkins  
Elkins, WV

<u>Station</u>	<u>Call</u>	<u>Frequency/ Channel</u>	<u>Location</u>
1	WHAW	980 kHz	Lost Creek, WV
2	WDNE	1240 kHz	Elkins, WV
3	WBUC	1460 kHz	Buckhannon, WV
4	WKJL	201B	Clarksburg, WV
5	WVPW	205B	Buckhannon, WV
6	WCDE	210A	Elkins, WV
7	WBHZ	220A	Elkins, WV
8	WGIE	224A	Clarksburg, WV
9	WFBY	228B1	Buckhannon, WV
10	WELK	234B1	Elkins, WV
11	WOTR	242A	Weston, WV
12	WDNE-FM	255B1	Elkins, WV
13	WBRB	267B	Buckhannon, WV
14	WBTQ	272B1	Weston, WV
15	WVIW	281A	Bridgeport, WV