

Exhibit 5 - - Compliance With Broadcast Multiple Ownership Rules

The applicant, KM Radio of Atlanta, L.L.C. (“KM-Atlanta”), is the licensee of and has an attributable interest in WLCN(FM), Channel 242A, Atlanta, Illinois (Facility ID No. 82090, “WLCN”). The next closest broadcast (full power television, or AM or FM radio) station, construction permit or application in which KM-Atlanta, or any party holding an attributable interest in KM-Atlanta, has an attributable interest is an application of KM Communications, Inc. (“KM”) for a new commercial FM broadcast station on Channel 291A, Abingdon, Illinois (File No. BNPH-20070502AAU, Facility ID No. 171007), on which KM was the high bidder in the Commission’s recent new FM construction permit auction, Auction No. 70 (the “Auction”). KM and KM -Atlanta have the same 100% owner, officers and sole director.

KM’s proposed new Abingdon station has not been assigned by Arbitron to a metro market, and KM reasonably believes that the Abingdon station will not be assigned to an Arbitron metro market based on other existing stations licensed to nearby communities being treated by Arbitron as non-metro market stations.¹ Specifically, the site proposed by KM for the Abingdon station is close to Galesburg, Illinois, and four existing stations currently licensed to Galesburg are treated by Arbitron as non-metro stations. WLCN also is listed by Arbitron as a non-metro station. See Yearbook at 459.

For non-metro market stations, the Commission currently defines the relevant market using a contour overlap method, based on whether there is 3.16 mV/m (70 dBu) principal community (or “city grade”) contour overlap between two or more stations.² Since the proposed Abingdon station and WLCN are both Class A stations, the city grade contour for a Class A station may extend only 10.1 miles (with maximum facilities), and Abingdon and Atlanta are more than 70 miles apart, there can be no overlap of the existing or proposed city grade contours between the proposed Abingdon station and WLCN; therefore, KM’s common ownership of such stations is permitted under Section 73.3555(a) of the Commission’s rules, 47 C.F.R. § 73.3555(a), since an entity always may own one station in a market.

^{1/} Since KM does not subscribe nor have access to Arbitron market information, KM is relying on the Arbitron metro versus non-metro market information available from *BIAfn’s Radio Yearbook*® 2003, published by BIA Financial Network, Inc. (the “Yearbook”).

^{2/} See 2002 Biennial Regulatory Review, FCC 03-127, 18 FCC Rcd 13620, 29 CR 564 at ¶ 284 (2003)(the “2003 Broadcast Multiple Ownership Order”).