

Exhibit 5 - Engineering Statement
MULTIPLE OWNERSHIP STUDY
prepared for
New Northwest Broadcasters, LLC
KUJ-FM Walla Walla, Washington
Facility ID 77777

Ch. 256C1 100 kW 225 m

New Northwest Broadcasters, LLC (“*NNB*”) is the licensee of KUJ-FM, Ch. 256C2 in Walla Walla, Washington and is proposing a one-step upgrade to a Class C1 for KUJ-FM. This statement has been prepared on behalf of *NNB* to show compliance with Section 73.3555(a) of the Commission’s Rules as it governs common ownership of multiple radio stations serving the same market(s). A multiple ownership study was performed and filed in the application for assignment of the KUJ-FM license, file number BALH-20040409AAT. That multiple ownership study considered KUJ-FM’s facilities authorized in construction permit BPH-19990916AAJ. The facilities specified in that construction permit are identical to those proposed herein. Therefore the data contained in that study herein is used herein to demonstrate compliance with the Commission’s Rules.

The Commission recently revised its multiple ownership rules and slight changes were made to the station calculation method for the overlapping principal community contour “market” definitions. Under the new rules, KUJ-FM continues to require consideration under the rules requiring markets defined by principal community contour overlap because KUJ-FM is located in a non-Arbitron rated market. However, there have been several slight modifications made to the contour overlap procedure since the ownership analysis attached hereto.

The number of stations that overlap Markets One and Two as defined in the attached **Exhibit 14** cannot include any station whose transmitter site is located more than 92 kilometers from the perimeter of the mutual overlap area of the stations that define the market. In Market One, KATW, KMOK, KCLK, KUBQ, KWRL, and KCMB are removed from the station count leaving a total of thirty-five (35) stations that have overlapping principal community contours overlapping with Market One. In Market Two, FM stations KXRX, KZHR, KOLW, KHSS, KWHT, KUMA-FM, KZZM and AM stations KTIX, KUMA, KGDC, KUJ, KTEL are removed from the station count leaving a total of thirty-eight (38) stations that have overlapping principal community contours overlapping with Market Two.

Engineering Statement

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In addition, the number of stations in a "market" cannot include stations owned by *NNB* that do not define the market. In Market One, KARY-FM is removed from the station count leaving a total of thirty-four (34) stations that have overlapping principal community contours that overlap Market One. In this case, *NNB* continues to comply with the rules, as the number of stations in the market is 30 or more, exclusive of non-commercial stations. If non-commercial stations were included, this number would likely increase.

Similarly in Market Two, subtracting the stations owned by *NNB* and the stations whose transmitter sites are located more than 92 kilometers from the mutual overlap area in the market, the number of stations that have principal community contour overlap with Market Two is reduced to twenty-nine (29) from that shown in **Exhibit 14**. In this case, *NNB* continues to comply with the Commission's Rules. Section 73.3555(a)(1)(iii) states that "In a radio market with between 15 and 29 (inclusive) full-power, commercial and noncommercial radio stations, not more than 6 commercial radio stations in total and not more than 4 commercial stations in the same service (AM or FM)." Again, if the non-commercial stations are included in this count, the number would likely increase.

As demonstrated herein, the facility proposed continues to comply with Section 73.3555(a) of the Commission's rules.



Michael D. Rhodes, P.E.

October 8, 2004

Cavell, Mertz & Davis, Inc.
7839 Ashton Avenue
Manassas, Virginia 20109
(703) 392-9090

Exhibit 14 - Engineering Statement
RADIO MULTIPLE OWNERSHIP STUDY

prepared for

New Northwest Broadcasters, LLC

KUI-FM Ch. 256C2 Walla Walla, Washington (Facility ID 77777)

Introduction

New Northwest Broadcasters, LLC (“*NNB*”) is seeking authority to acquire KUI-FM, Ch. 256C2, Walla Walla, Washington (Facility ID 77777).¹ This statement has been prepared on behalf of *NNB* to show compliance with Section 73.3555(a) of the Commission’s Rules as it governs common ownership of multiple radio stations serving the same market(s).²

NNB has an ownership interest in the following radio facilities in the region near KUI-FM:

Call Sign	Channel/ Frequency	City, State	Facility ID
KARY(FM)	265C2	Grandview, Washington	53674
KEGX(FM)	293C	Richland, Washington	53140
KHHK(FM)	259C3	Yakima, Washington	36031
KIOK(FM)	235C	Richland, Washington	12455
KNLT(FM)	239C	Walla Wall, Washington	35717
KRSE(FM)	289C1	Yakima, Washington	49876
KXDD(FM)	281C1	Yakima, Washington	7919
KALE(AM)	960 kHz	Richland, Washington	63359
KBBO(AM)	1390 kHz	Yakima, Washington	49875
KJOX(AM)	980 kHz	Selah, Washington	7918
KTCR(AM)	1340 kHz	Kennewick, Washington	53139

Multiple Radio Ownership

Under current FCC ownership rules, a “market” is defined as the area encompassed by the overlapping principal community contours of the radio stations in which an entity is proposing to have common ownership interest. Since 1998, *NNB* has been programming KUI-FM pursuant to a local

¹ A construction permit (“CP”) exists authorizing KUI-FM to change from class C2 to class C1 at the same site (BPH-19990916AAJ) .

² In accordance with the FCC Public Notice issued September 10, 2003 (DA 03-2867), references to Section 73.3555 of the Commission’s Rules herein refer to the Rules in effect prior to the *Report and Order* in MB Docket No. 02-277 and MM Docket Nos. 01-235, 01-317, and 00-244 (adopted June 2,2003). The United States Court of Appeals for the Third Circuit has stayed the effective date of the rules adopted in this *Report and Order* (see *Prometheus Radio Project v. FCC*, No. 03-3388 (3d Cir. Sept. 3, 2003)).

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marketing agreement (“LMA”). Thus, *NNB* already has an attributable interest in the station. This study has been prepared to demonstrate what *NNB* already knew in accordance with the LMA, that owning KIJ-FM is consistent with the Commission’s local radio multiple ownership rule.

An evaluation has been made of the locations of the principal community contours of the stations, including KIJ-FM and KIJ-FM(CP), in which *NNB* has an attributable ownership interest. The 3.16 mV/m principal community coverage contours of KIJ-FM, KIJ-FM(CP) and the listed FM stations, are depicted on **Exhibit 14 - Figure 1** with the daytime 5.0 mV principal community contours of the listed AM stations. As discussed in the following, two distinct “markets” must be considered for the purposes of this proposed acquisition.

Market One

The 3.16 mV/m principal community coverage contours of KIJ-FM, KEGX(FM), KIOK(FM), and KNLT(FM) and the 5.0 mV/m principal community coverage contours of KALE(AM) and KTCR(AM) share a common overlap area, as does KIJ-FM(CP). The 3.16 mV/m contours of KIOK(FM) and KNLT(FM) encompass the 3.16 mV/m contours of KEGX(FM), KIJ-FM, and KIJ-FM(CP) and the 5 mV/m contours of KALE(AM) and KTCR(AM). As shown by **Exhibit 14 - Figure 1A, Market I**, as shaded in yellow, is thus defined as the land area encompassed by the composite of the 3.16 mV/m principal community coverage contours of KIOK(FM) and KNLT(FM) (regardless of whether KIJ-FM or KIJ-FM(CP) is considered).

Market Two (An Ancillary Effect of Acquiring KIJ-FM)

The principal community contours of KIJ-FM (and KIJ-FM(CP)) overlap KEGX(FM) and KIOK(FM). Separately, KIOK(FM) and KEGX(FM) share common overlap with KARY-FM such that KIJ-FM would be counted toward the total station count when demonstrating compliance with the Commission’s rules for ownership of radio stations.

As *NNB* is proposing to acquire KIJ-FM, the total station count for the market created by the common overlap of KEGX(FM), KIOK(FM) and KARY-FM is revisited here while considering KIJ-FM

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among the stations with common attributable ownership interest to demonstrate continued compliance with the Commission's Multiple Ownership Rules. KEGX(FM) is encompassed by KIOK(FM). As shown by **Exhibit 14 - Figure 1B, Market 2**, as shaded in yellow, is thus defined as the land area encompassed by the composite of the 3.16 mV/m principal community coverage contours of KIOK(FM) and KARY-FM.

Radio Market One

Exhibit 14 - Figures 2 and 2A, depict the bounds of Radio Market 1, shaded in yellow, with all of the identifiable, operating domestic commercial radio stations with principal community contours overlapping any part of Radio Market One. Details for these overlapping stations are provided with **Exhibit 14 - Table I**.

As shown with **Exhibit 14 - Table I** and **Exhibit 14 - Figures 2 and 2A**, at least thirteen (13) AM and twenty-eight (28) FM commercial stations provide some measure of principal community coverage within Radio Market One (*including those stations in which NNB has or is proposing to have attributable ownership interest*). In the instant market, NNB is proposing to own two (2) AM stations and four (4) FM stations with a common overlap of principal community contours. The total count of forty-one (41) radio stations demonstrates that the proposed level of ownership is consistent with the Commission's multiple ownership limits with respect to Radio Market One. Section 73.3555(a)(1)(ii) states that "In a radio market with between 30 and 44 (inclusive) commercial radio stations, a party may own, operate, or control up to 7 commercial radio stations, not more than 4 of which are in the same service (AM or FM)."

Radio Market Two (Indirect Effect of Acquisition of KUJ-FM)

Exhibit 14 - Figures 3 and 3A, depict the bounds of Radio Market 2, shaded in yellow, with all of the identifiable, operating domestic commercial radio stations with principal community contours overlapping any part of Radio Market Two. Details for these overlapping stations are provided with **Exhibit 14 - Table II**.

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As shown with **Exhibit 14 - Table II** and **Exhibit 14 - Figure 3 and 3A**, at least twenty (20) AM and thirty (30) FM commercial stations provide some measure of principal community coverage within Radio Market Two. In the instant market, *NNB* has attributable ownership interest in three (3) FM stations with common overlap of their principal community contours. The total of fifty (50) radio stations demonstrates that the continued ownership of these three stations is consistent with the Commission's multiple ownership limits with respect to Radio Market Two. Section 73.3555(a)(1)(i) states that "In a radio market with 45 or more commercial radio stations, a party may own, operate, or control up to 8 commercial radio stations, not more than 5 of which are in the same service (AM or FM).

Contour Methodology

In preparing the attached maps and tables, pertinent station data were extracted from the Commission's engineering databases. For AM stations, these included the operating power, radiation efficiency, directional antenna data (where appropriate), and geographic coordinates. The distances to the 5 mV/m contours were computed using a digitized version of the Commission's estimated soil conductivity map, Figure M-3 and a computer program which simulates the Commission's AM groundwave propagation curves. For FM stations, pertinent data for determining the distances to the contour included the antenna elevation above mean sea level, geographic coordinates, effective radiated power, and, where appropriate, directional antenna patterns. The requisite contour distances were determined using digitized, 3 arc-second, terrain data along radials spaced every 5 degrees from the transmitter site and an implementation of the Commission's TVFMFS computer program which simulates the FM distance curves. The distances to the pertinent contours were then fed into a GIS mapping program which was used to generate the attached maps.

Conclusion

As demonstrated by the foregoing, *NNB's* acquisition of KIJ-FM is permissible pursuant to Section 73.3555 of the Commission's Rules. Acquisition of KIJ-FM (*and KIJ-FM(CP)*) will result in ownership of four FM and two AM stations in Radio Market One. The station count for Market 1 (*41 stations*) is within the range allowed in Section 73.3555(a)(1)(ii) for up to 7 stations, where no more than four of the

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stations in the market are in the same service. Thus, the proposed acquisition of KUJ-FM complies with Section 73.3555 regarding multiple ownership of radio broadcast stations.

The continued ownership of three FM stations in Radio Market Two, along with the acquisition of KUJ-FM at the periphery, is permissible pursuant to Section 73.3555 of the Commission's Rules. Pursuant to Section 73.3555(a)(1)(i), the station count for Market 2 exceeds 45 stations such that *NNB* might own up to 8 stations sharing common overlap area, where no more than 5 stations may be in same service. *NNB* will continue to own only three stations, all of which are in the same service.

Certification

Under the penalty of perjury, the undersigned hereby certifies that the foregoing statement was prepared by the undersigned or under their direction, and that it is true and correct to the best of their knowledge and belief.



Elaine C. Smith
February 26, 2004



Garrison C. Cavell
February 26, 2004



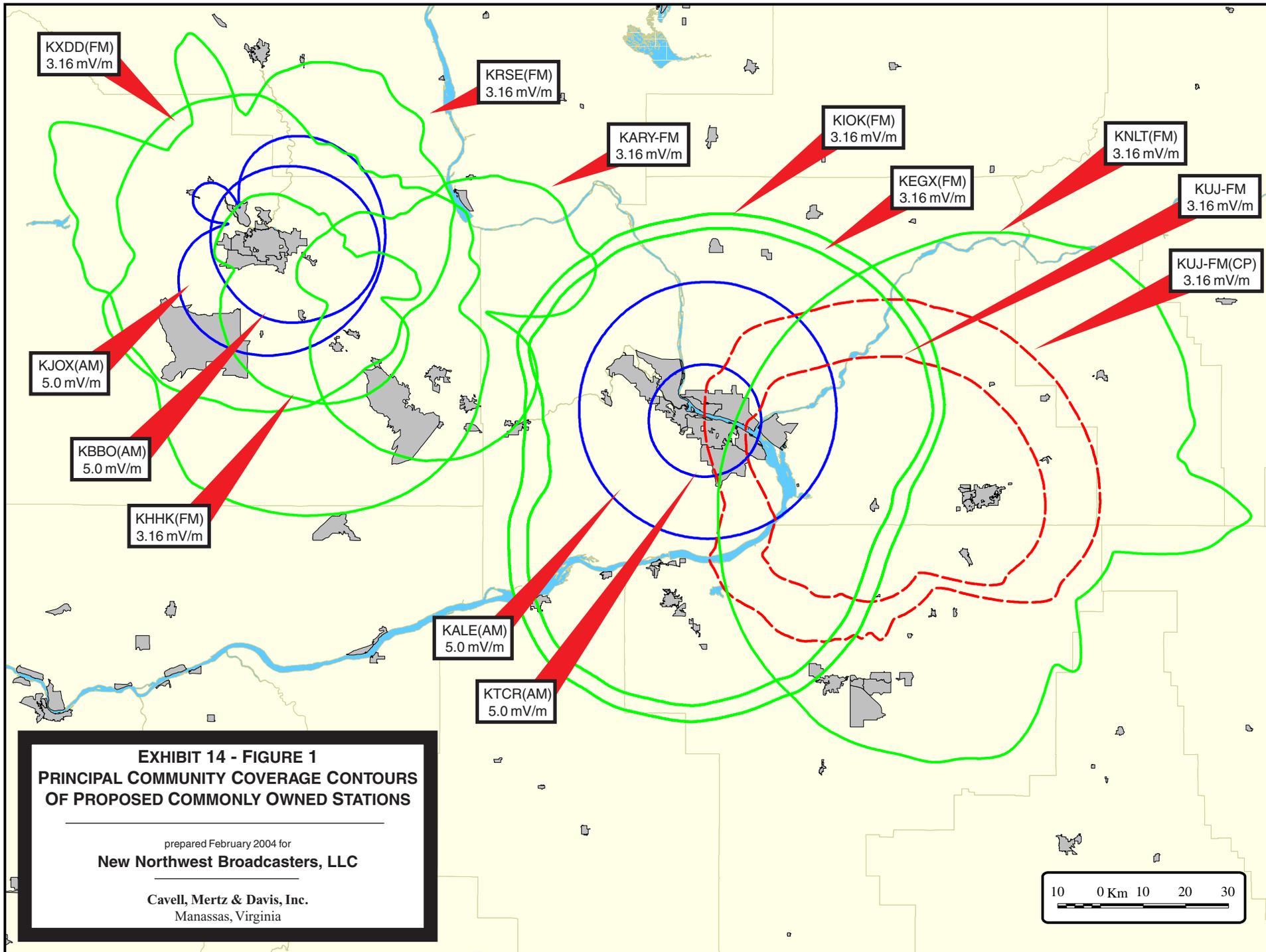
Mark Peabody
February 26, 2004

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AM & FM Stations Overlapping Market 2
AM & FM Stations Overlapping Market 2

Cavell, Mertz & Davis, Inc.
7839 Ashton Avenue
Manassas, Virginia 20109
703-392-9090



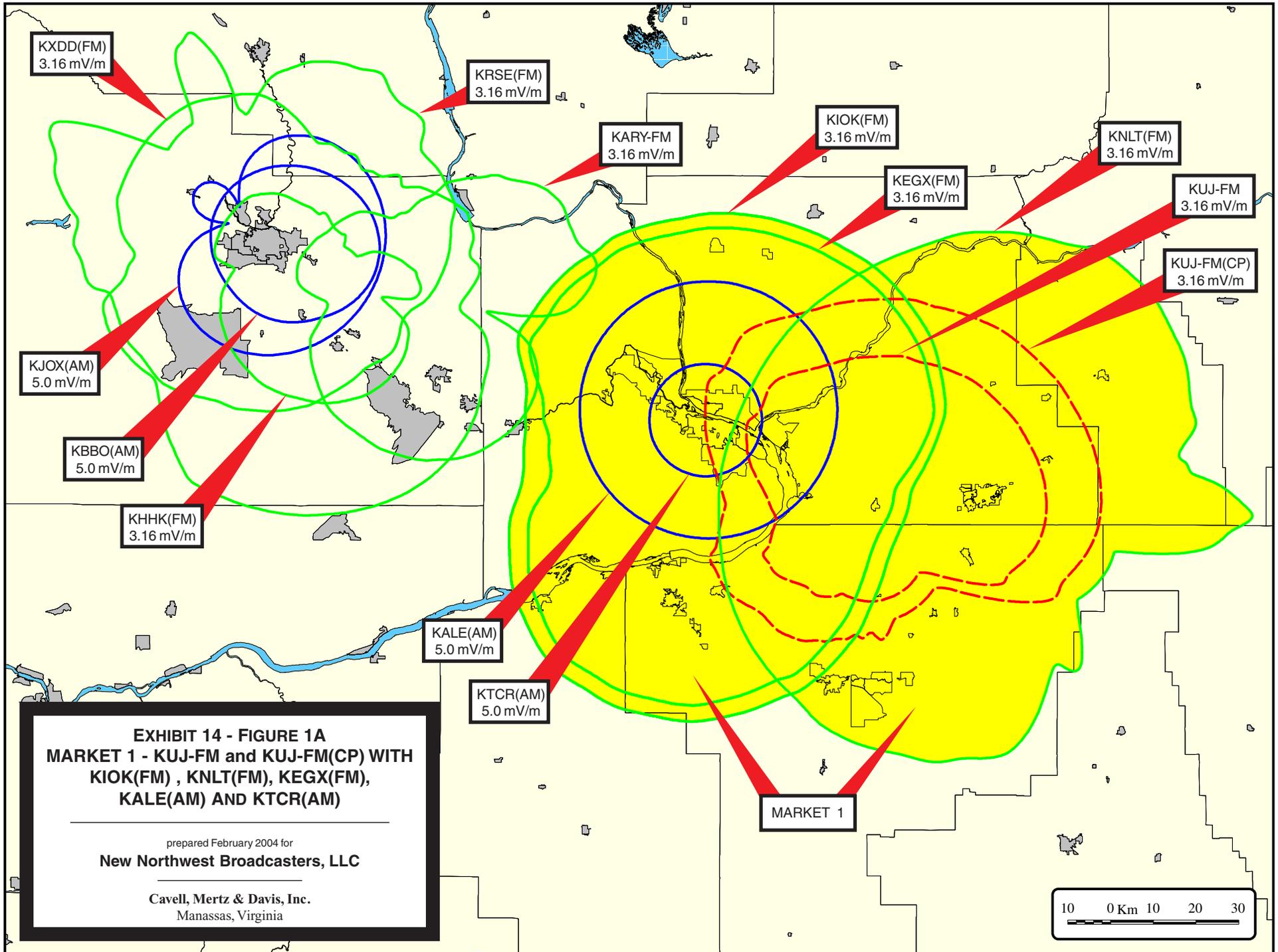


EXHIBIT 14 - FIGURE 1A
MARKET 1 - KUJ-FM and KUJ-FM(CP) WITH
KIOK(FM) , KNLT(FM), KEGX(FM),
KALE(AM) AND KTZR(AM)

prepared February 2004 for
New Northwest Broadcasters, LLC

Cavell, Mertz & Davis, Inc.
 Manassas, Virginia

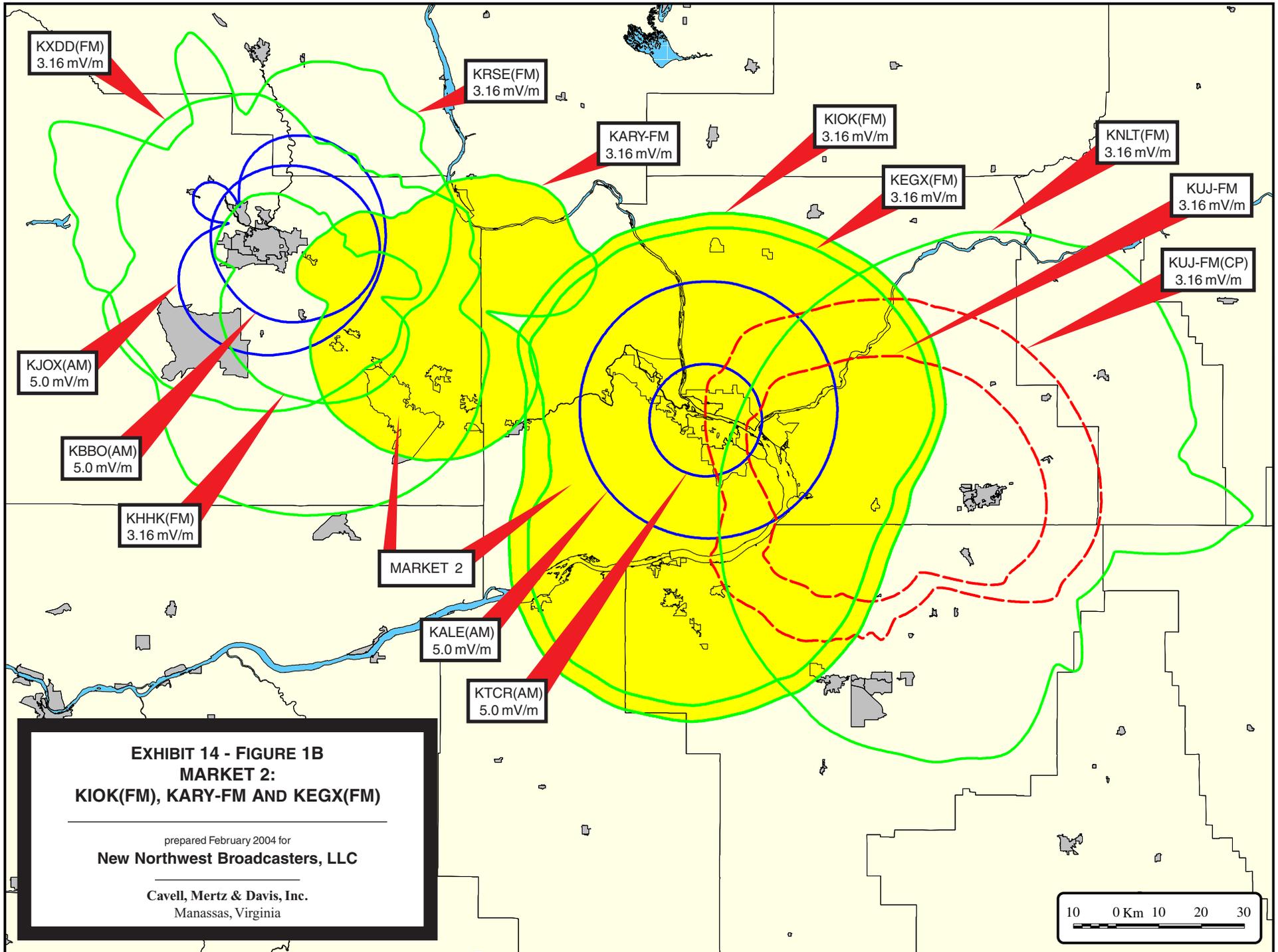
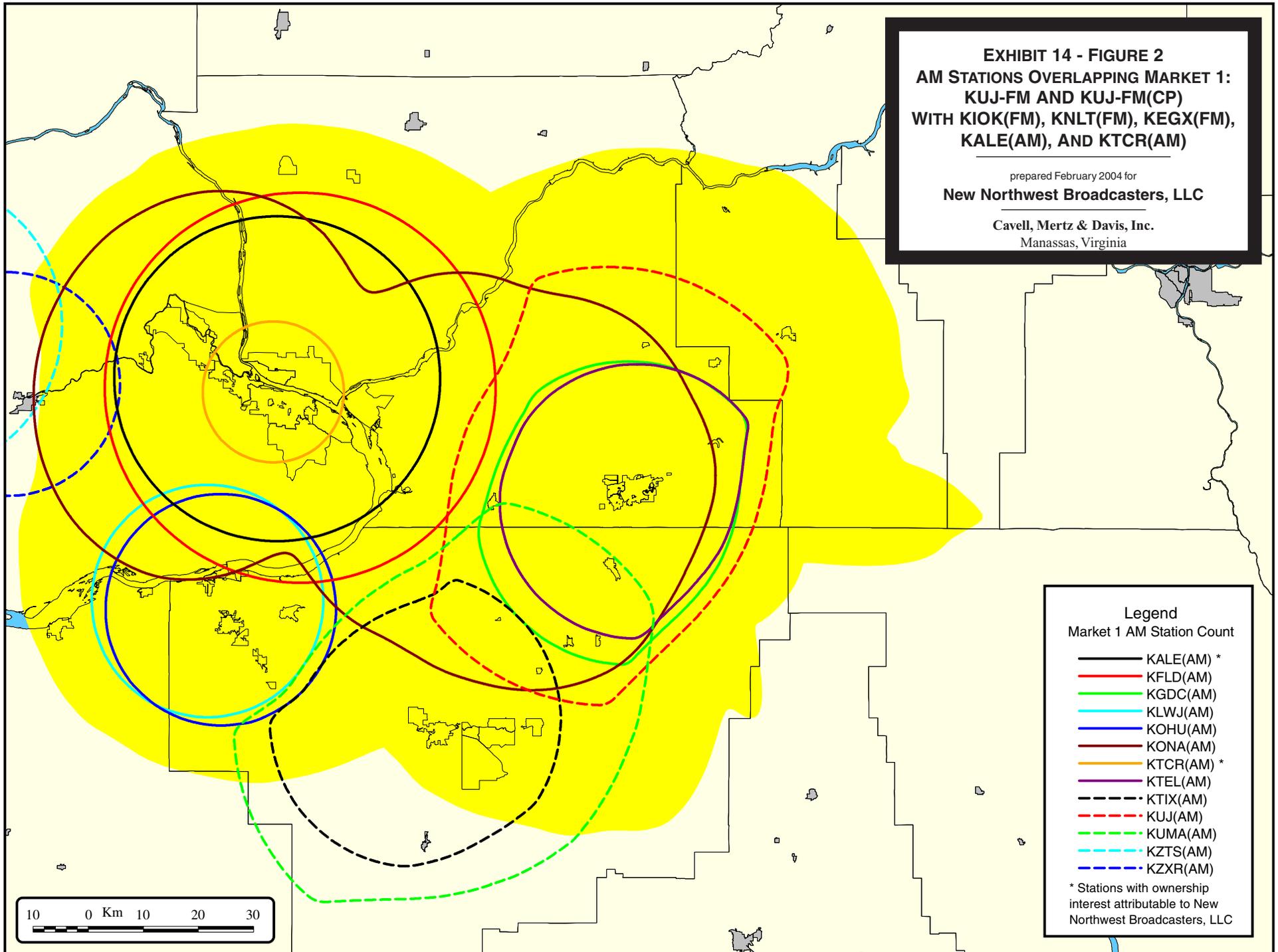


EXHIBIT 14 - FIGURE 2
AM STATIONS OVERLAPPING MARKET 1:
KUJ-FM AND KUJ-FM(CP)
WITH KIOK(FM), KNLT(FM), KEGX(FM),
KALE(AM), AND KTCR(AM)

prepared February 2004 for
New Northwest Broadcasters, LLC

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 Manassas, Virginia



Legend
Market 1 AM Station Count

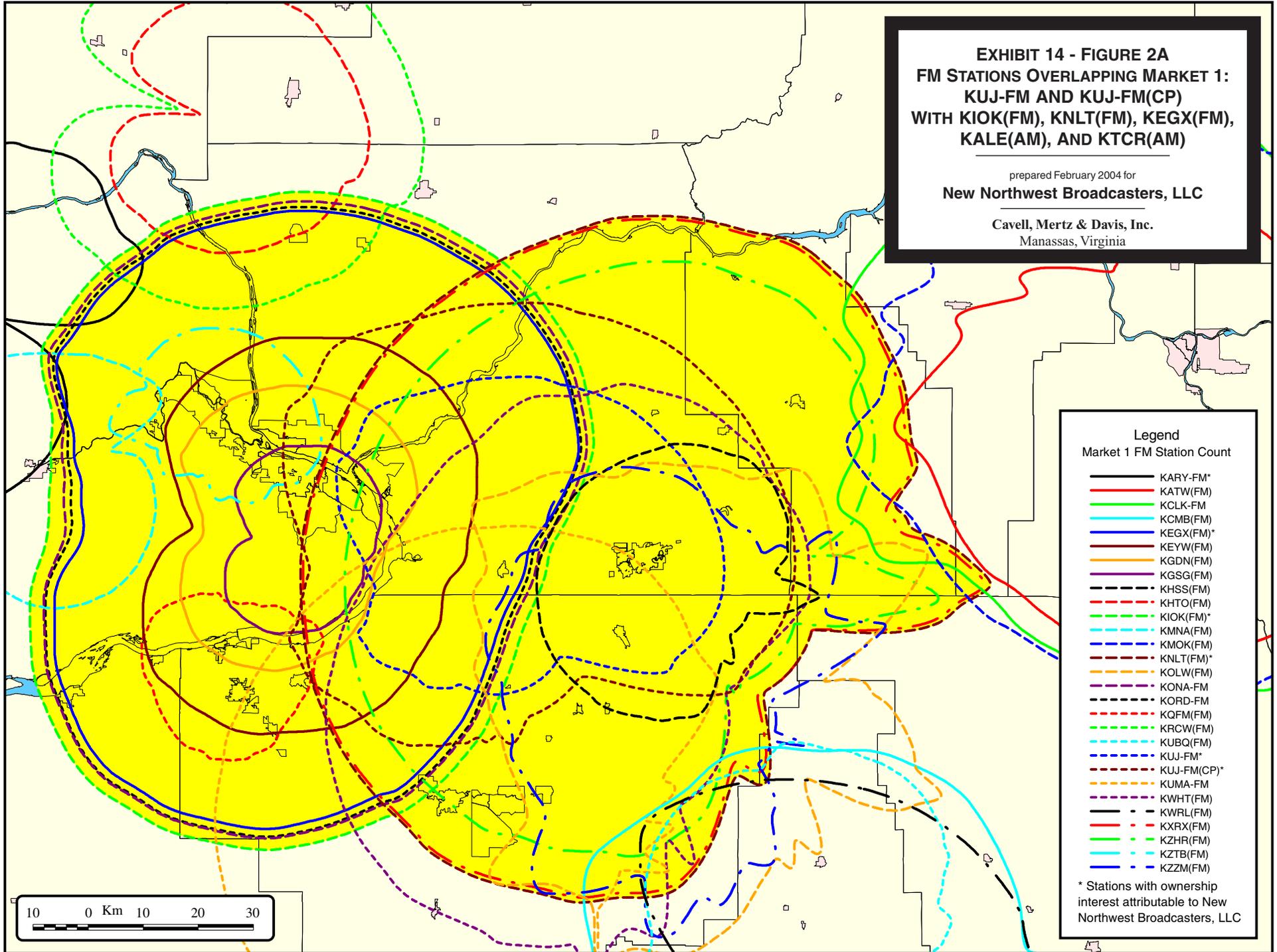
- KALE(AM) *
- KFLD(AM)
- KGDC(AM)
- KLWJ(AM)
- KOHU(AM)
- KONA(AM)
- KTCR(AM) *
- KTEL(AM)
- - - KTIX(AM)
- - - KUJ(AM)
- - - KUMA(AM)
- - - KZTS(AM)
- - - KZXR(AM)

* Stations with ownership interest attributable to New Northwest Broadcasters, LLC

EXHIBIT 14 - FIGURE 2A
FM STATIONS OVERLAPPING MARKET 1:
KUJ-FM AND KUJ-FM(CP)
WITH KIOK(FM), KNLT(FM), KEGX(FM),
KALE(AM), AND KTCR(AM)

prepared February 2004 for
New Northwest Broadcasters, LLC

Cavell, Mertz & Davis, Inc.
 Manassas, Virginia



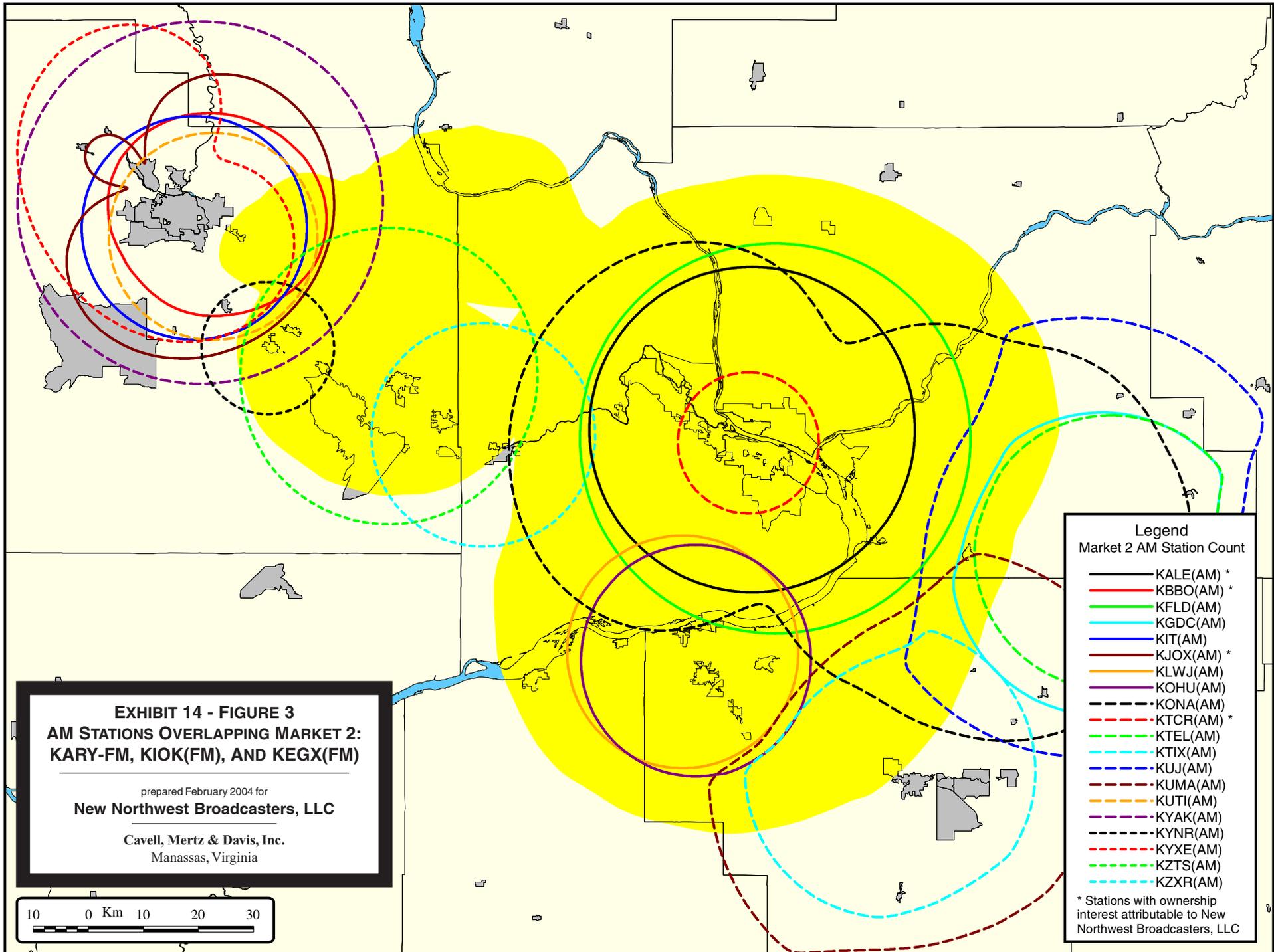
* Stations with ownership interest attributable to New Northwest Broadcasters, LLC

Exhibit 14 - Table I
Stations with Principal Community Contours Overlapping
Radio Market One: KUJ-FM and KUJ-FM(CP)
with KIOK(FM), KEGX(FM), KNLT(FM), KALE(AM) and KTCR(AM)
 prepared for
New Northwest Broadcasters, LLC

AM Stations			
Call Sign	Frequency	City of License	Facility ID
KALE(AM) *	960 kHz	RICHLAND, WA	63359
KFLD(AM)	870 kHz	PASCO, WA	16725
KGDC(AM)	1320 kHz	WALLA WALLA, WA	35124
KLWJ(AM)	1090 kHz	UMATILLA, OR	68743
KOHU(AM)	1360 kHz	HERMISTON, OR	27077
KONA(AM)	610 kHz	KENNEWICK, WA	67668
KTCR(AM) *	1340 kHz	KENNEWICK, WA	53139
KTEL(AM)	1490 kHz	WALLA WALLA, WA	12511
KTIX(AM)	1240 kHz	PENDLETON, OR	643
KUJ(AM)	1420 kHz	WALLA WALLA, WA	35718
KUMA(AM)	1290 kHz	PENDLETON, OR	57756
KZTS(AM)	1210 kHz	SUNNYSIDE, WA	4757
KZXR(AM)	1310 kHz	PROSSER, WA	53675

FM Stations			
Call Sign	Channel	City of License	Facility ID
KARY-FM *	265C2	GRANDVIEW, WA	53674
KATW(FM)	268C1	LEWISTON, ID	73614
KCLK-FM	231C	CLARKSTON, WA	11721
KCMB(FM)	284C	BAKER, OR	50635
KEGX(FM) *	293C	RICHLAND, WA	53140
KEYW(FM)	252C2	PASCO, WA	68846
KGDN(FM)	267C3	PASCO, WA	71636
KGSG(FM)	229A	PASCO, WA	78988
KHSS(FM)	264C3	WALLA WALLA, WA	34540
KHTO(FM)	248C3	OTHELLO, WA	51128
KIOK(FM) *	235C	RICHLAND, WA	12455
KMNA(FM)	269C3	PROSSER, WA	6266
KMOK(FM)	295C	LEWISTON, ID	28214
KNLT(FM) *	239C	WALLA WALLA, WA	35717
KOLW(FM)	250C1	MILTON-FREEWATER, OR	953
KONA-FM	287C	KENNEWICK, WA	67669
KORD-FM	274C	RICHLAND, WA	16726
KQFM(FM)	263A	HERMISTON, OR	27076
KRCW(FM)	242C2	ROYAL CITY, WA	49731
KUBQ(FM)	254C2	LA GRANDE, OR	24796
KUJ-FM *	256C2	WALLA WALLA, WA	77777
KUMA-FM	299C1	PENDLETON, OR	57757
KWHT(FM)	278C1	PENDLETON, OR	644
KWRL(FM)	260C1	LA GRANDE, OR	24797
KXRX(FM)	246C0	WALLA WALLA, WA	16727
KZHR(FM)	223C1	DAYTON, WA	35125
KZTB(FM)	244A	BENTON CITY, WA	4758
KZZM(FM)	270C2	WESTON, OR	78697

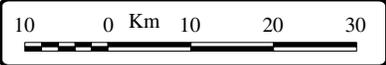
* Stations with ownership interest attributable to New Northwest Broadcasters, LLC.



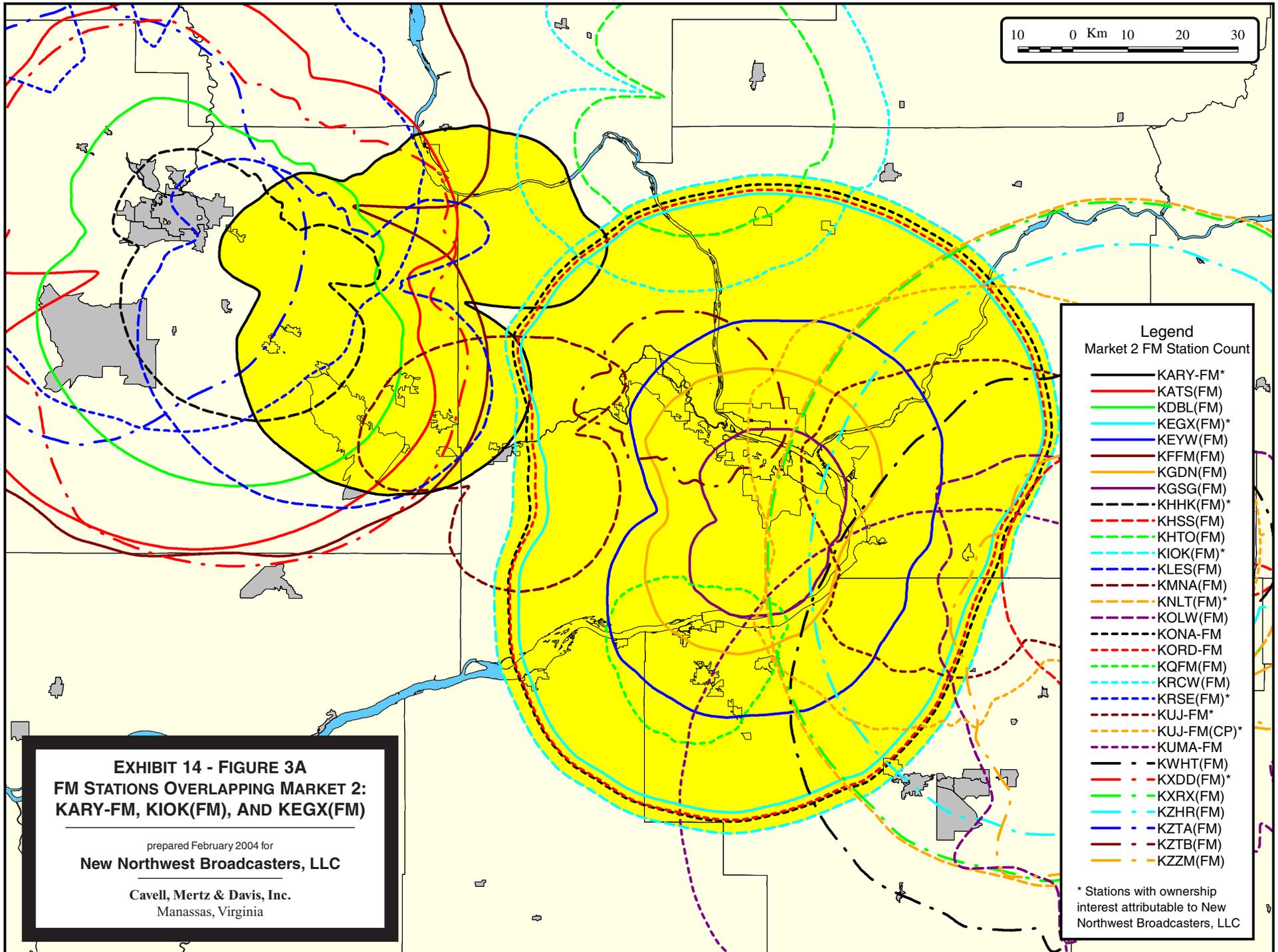
**EXHIBIT 14 - FIGURE 3
AM STATIONS OVERLAPPING MARKET 2:
KARY-FM, KIOK(FM), AND KEGX(FM)**

prepared February 2004 for
New Northwest Broadcasters, LLC

Cavell, Mertz & Davis, Inc.
Manassas, Virginia



- Legend**
Market 2 AM Station Count
- KALE(AM) *
 - KBBO(AM) *
 - KFLD(AM)
 - KGDC(AM)
 - KIT(AM)
 - KJOX(AM) *
 - KLWJ(AM)
 - KOHU(AM)
 - - - KONA(AM)
 - - - KTCR(AM) *
 - - - KTEL(AM)
 - - - KTIX(AM)
 - - - KUJ(AM)
 - - - KUMA(AM)
 - - - KUTI(AM)
 - - - KYAK(AM)
 - - - KYNR(AM)
 - - - KYXE(AM)
 - - - KZTS(AM)
 - - - KZXR(AM)
- * Stations with ownership interest attributable to New Northwest Broadcasters, LLC



10 0 Km 10 20 30

Legend
Market 2 FM Station Count

- KARY-FM*
- KATS(FM)
- KDBL(FM)
- KEGX(FM)*
- KEYW(FM)
- KFFM(FM)
- KGDN(FM)
- KGSG(FM)
- - KHHK(FM)*
- - KHSS(FM)
- - KHTO(FM)
- - KIOK(FM)*
- - KLES(FM)
- - KMNA(FM)
- - KNLN(FM)*
- - KOLW(FM)
- - KONA-FM
- - KORD-FM
- - KQFM(FM)
- - KRCW(FM)
- - KRSE(FM)*
- - KUJ-FM*
- - KUJ-FM(CP)*
- - KUMA-FM
- - KWHT(FM)
- - KXDD(FM)*
- - KXRK(FM)
- - KZHR(FM)
- - KZTA(FM)
- - KZTB(FM)
- - KZZM(FM)

* Stations with ownership interest attributable to New Northwest Broadcasters, LLC

EXHIBIT 14 - FIGURE 3A
FM STATIONS OVERLAPPING MARKET 2:
KARY-FM, KIOK(FM), AND KEGX(FM)

prepared February 2004 for
New Northwest Broadcasters, LLC

Cavell, Mertz & Davis, Inc.
Manassas, Virginia

Exhibit 14 - Table II
Stations with Principal Community Contours Overlapping
Radio Market Two: KIOK(FM), KARY-FM and KEGX(FM)
 prepared for
New Northwest Broadcasters, LLC

AM Stations			
Call Sign	Frequency	City of License	Facility ID
KALE(AM) *	960 kHz	RICHLAND, WA	63359
KBBO(AM) *	1390 kHz	YAKIMA, WA	49875
KFLD(AM)	870 kHz	PASCO, WA	16725
KGDC(AM)	1320 kHz	WALLA WALLA, WA	35124
KIT(AM)	1280 kHz	YAKIMA, WA	64398
KJOX(AM) *	980 kHz	SELAH, WA	7918
KLWJ(AM)	1090 kHz	UMATILLA, OR	68743
KOHU(AM)	1360 kHz	HERMISTON, OR	27077
KONA(AM)	610 kHz	KENNEWICK, WA	67668
KTCR(AM) *	1340 kHz	KENNEWICK, WA	53139
KTEL(AM)	1490 kHz	WALLA WALLA, WA	12511
KTIX(AM)	1240 kHz	PENDLETON, OR	643
KUJ(AM)	1420 kHz	WALLA WALLA, WA	35718
KUMA(AM)	1290 kHz	PENDLETON, OR	57756
KUTI(AM)	1460 kHz	YAKIMA, WA	49722
KYAK(AM)	930 kHz	YAKIMA, WA	36030
KYNR(AM)	1490 kHz	TOPPENISH, WA	24586
KYXE(AM)	1020 kHz	SELAH, WA	64506
KZTS(AM)	1210 kHz	SUNNYSIDE, WA	4757
KZXR(AM)	1310 kHz	PROSSER, WA	53675

FM Stations			
Call Sign	Channel	City of License	Facility ID
KARY-FM *	265C2	GRANDVIEW, WA	53674
KATS(FM)	233C1	YAKIMA, WA	64397
KDBL(FM)	225C2	TOPPENISH, WA	64507
KEGX(FM) *	293C	RICHLAND, WA	53140
KEYW(FM)	252C2	PASCO, WA	68846
KFFM(FM)	297C	YAKIMA, WA	49723
KGDN(FM)	267C3	PASCO, WA	71636
KGSG(FM)	229A	PASCO, WA	78988
KHHK(FM) *	259C3	YAKIMA, WA	36031
KHSS(FM)	264C3	WALLA WALLA, WA	34540
KHTO(FM)	248C3	OTHELLO, WA	51128
KIOK(FM) *	235C	RICHLAND, WA	12455
KLES(FM)	254C2	MABTON, WA	21602
KMNA(FM)	269C3	PROSSER, WA	6266
KNLT(FM) *	239C	WALLA WALLA, WA	35717
KOLW(FM)	250C1	MILTON-FREEWATER, OR	953
KONA-FM	287C	KENNEWICK, WA	67669
KORD-FM	274C	RICHLAND, WA	16726
KQFM(FM)	263A	HERMISTON, OR	27076
KRCW(FM)	242C2	ROYAL CITY, WA	49731
KRSE(FM) *	289C1	YAKIMA, WA	49876
KUJ-FM *	256C2	WALLA WALLA, WA	77777
KUMA-FM	299C1	PENDLETON, OR	57757
KWHT(FM)	278C1	PENDLETON, OR	644
KXDD(FM) *	281C1	YAKIMA, WA	7919
KXXR(FM)	246C0	WALLA WALLA, WA	16727
KZHR(FM)	223C1	DAYTON, WA	35125
KZTA(FM)	245C2	NACHES, WA	36006
KZTB(FM)	244A	BENTON CITY, WA	4758
KZZM(FM)	270C2	WESTON, OR	7869

* Stations with ownership interest attributable to New Northwest Broadcasters, LLC