

EXHIBIT 5
Multiple Ownership

The purpose of the instant application is to implement a change of WKXU(FM)'s community of license from Louisburg, North Carolina, to Hillsborough, North Carolina, pursuant to the Media Bureau's Report and Order in MM Docket No. 04-375, DA 06-986 (released May 12, 2006). The proceeding resulting in the Report and Order was initiated by a Petition for Rule Making filed by the Licensee on March 8, 2004, prior to the effectiveness of the Commission's adoption of the Arbitron-based market definition under the local radio ownership rule in September 2004.

WKXU(FM), whether licensed to Louisburg or Hillsborough, is located in the Raleigh-Durham, North Carolina, Arbitron market. The Licensee, through its majority shareholder, has attributable interests in other radio stations in the Raleigh Arbitron market. While the Licensee's existing combination of stations in the Raleigh market exceeds the local radio ownership limits, that combination is grandfathered under the Commission's rules. Although the Licensee is in compliance with the new local radio ownership rule with respect to its ownership of WKXU(FM) as licensed to Louisburg, it appears that the Licensee's ownership of WKXU(FM) as licensed to Hillsborough may not be grandfathered in the Raleigh market, *see* 47 C.F.R. § 73.3555, Note 4, and that a change in WKXU(FM)'s community of license to Hillsborough may not comply with the new local radio ownership rule under the station's present ownership.

The instant construction permit application is timely filed pursuant to the Report and Order, which requires filing by Monday, September 25, 2006. The Licensee is currently exploring its options so that the community of license change will comply with the FCC's new local radio ownership rule. Among other things, the Licensee is considering (1) divestiture of certain stations in the Raleigh market or (2) application for a waiver or exemption of Section 73.3555(a) of the Commission's rules. Accordingly, it is respectfully requested that the Licensee be afforded additional time to consider these options and that no action be taken on the instant application until the Licensee demonstrates compliance with, or obtains a waiver of or exemption from the local radio ownership rule. In the alternative, it is respectfully requested that the instant application be granted so that the Licensee may construct the Hillsborough facilities at which time the Licensee will act upon its options prior to grant of a license application so that the licensed facilities will comply with, or be exempted from, the then-applicable ownership rules.

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