

Exhibit 5

Compliance with Local Radio Ownership Rule (47 C.F.R. § 73.3555(a))

By this exhibit, Cox Radio, Inc. confirms that this construction permit application for an auxiliary antenna for WMXB(FM), Richmond, Virginia, complies with the FCC's local radio ownership rules under the Arbitron Metro methodology.

WMXB(FM) is reported by BIA as being located within the geographic boundaries of the Richmond, Virginia Metro Market.¹ After the grant of this application, WMXB(FM) will continue to be licensed to Richmond and thus will continue to be located within this Metro Market.

Cox Radio, Inc. and any party to this application currently have cognizable interests in the following radio stations that either have communities of licenses located within this Metro Market or are "home" to this Metro Market:

1. WMXB(FM), Richmond, VA
2. WKHK(FM), Colonial Heights, VA
3. WKLR(FM), Fort Lee, VA
4. WDYL(FM), Chester, VA

BIA reports that there are thirty full-power, commercial radio stations as located within or "home" to this Metro Market, and an evaluation of noncommercial radio stations likely would increase the count of the total number of stations. Under the Commission's local radio ownership limits as set forth at 47 C.F.R. § 73.3555(a)(1)(ii), in a radio market with between thirty and forty-four full-power, commercial and noncommercial radio stations, a party may have a cognizable interest in up to seven full-power, commercial radio stations, of which four may be in the same service (AM or FM). After grant of this application, Cox Radio will continue to have cognizable interests in four full-power commercial radio stations in this Metro Market, of which four are in the FM service. Thus, grant of this application complies with the FCC's local radio ownership rules under the Arbitron Metro Market methodology.

¹ See BIA Financial Network, *2004 Investing in Radio Market Report*, 1st Ed., "Richmond, Virginia Market Overview," Metro Rank 56 (2004).