

Multiple Ownership Showing

Pursuant to the *Public Notice*, DA 04-3204, issued by the Media Bureau on October 8, 2004, Great Scott Broadcasting, licensee of Station WKDB(FM), Laurel, Delaware, Facility ID No. 16661 (the "Station"), hereby amends application BPH-20010208AAT (the "Application") requesting a minor change in the licensed facility of the Station. The Station is licensed to Laurel, Delaware, which is located in Sussex county, which is part of the Salisbury-Ocean City, Maryland radio market as defined by Arbitron. This application does not seek a change in frequency or community of license in the table of allotments and thereby constitutes a minor change pursuant to Section 73.3573 of the Commission's Rules.

The attached exhibit lists 40 stations in the Salisbury-Ocean City, Maryland Arbitron market. Pursuant to the new local radio ownership rules, 47 C.F.R. § 73.3555(a)(1), a person or single entity (or entities under common control) in a radio market with between 30 and 44 (inclusive) full-power, commercial and noncommercial radio stations may have a cognizable interest in not more than 7 commercial radio stations in total, and not more than 4 commercial stations in the same service (AM or FM).

As demonstrated in the attached exhibit, Great Scott owns 10 stations in the market (2 AM, and 8 FM). However, pursuant to the Commission's *2002 Biennial Report and Order*, 18 FCC Rcd 13620, 13709 (¶ 484) (2003), the existing combination exceeding the new local radio ownership rules predates adoption of the new rules and is grandfathered.

Additionally, pursuant to Note 4 of Section 73.3555 of the Commission's new rules (*2002 Biennial Report and Order*, 18 FCC Rcd 13620 (2003)), the local radio ownership rule (§ 73.3555(a)) does not apply to the Application. As Note 4 makes clear, the local radio ownership rule applies to the following: (1) all applications for new stations, (2) all other applications for assignment or transfer (with the exception of those filed in accordance with Sections 73.3540(f) or 73.3541(b) of the Rules), (3) all applications for major changes to existing stations, and (4) applications for minor changes to existing stations that implement an approved change in an FM radio station's community of license or that create new or increased concentration of ownership among commonly owned, operated or controlled media properties. Minor change applications such as the Application do not fall within any of these categories. The Application is not seeking a change in the Station's community of license. Further, approval of the Application will not create new or increased concentration of ownership, as WKDB has been, and will remain, in the Salisbury-Ocean City, Maryland Arbitron market.