

COMPLIANCE WITH 47 C.F.R. § 73.3555(a): THE RADIO DUOPOLY RULE

This Exhibit is being filed in support of the following two applications for FCC consent to the voluntary assignment of licenses:

1. For radio stations KSMT(FM), Breckenridge, Colorado, KIDN-FM, Hayden, Colorado, KKCH(FM), Glenwood Springs, Colorado, and KSKE-FM, Vail, Colorado from AGM Rocky Mountain Broadcasting I, LLC to NRC Broadcasting, Inc. ("NRC");
2. For radio stations KTUN(FM), Eagle, Colorado, KNFO(FM), Basalt, Colorado, KRMR(FM), Hayden, Colorado, KSPN-FM, Aspen, Colorado, and KFMU-FM, Oak Creek, Colorado, from Salisbury Broadcasting Colorado, LLC to NRC.

The attached duopoly map prepared by du Treil, Lundin & Rackley, Inc. shows the principal community contours of each of the above-mentioned stations. As can be seen from the map, the acquisition of these nine radio stations creates five "radio markets" for purposes of the Commission's current multiple ownership rules. As demonstrated below and in the attached Technical Statement, common ownership of all of the above-mentioned stations is in full compliance with the Commission's multiple ownership regulations. *See* 47 C.F.R. § 73.3555(a).

I. Radio Market One: KRMR(FM), KIDN-FM, and KFMU(FM)

The first radio market is defined by the principal community contours of radio stations KRMR(FM), KIDN-FM, and KFMU(FM) and includes eight radio stations. In such a market, a single licensee may hold an attributable interest in up to five commercial radio stations, not more than three of which are in the same service (AM or FM) so long as that party does not own, operate, or control more than 50% of the stations in the market. *See* 47 C.F.R. § 73.3555(a)(1)(iv). Accordingly, common ownership of these three FM stations is in full compliance with the Commission's regulations.

II. Radio Market Two: KFMU(FM) and KTUN(FM)

The second radio market is defined by the principal community contours of radio stations KFMU(FM) and KTUN(FM) and includes 13 radio stations. In such a market, a single licensee may hold an attributable interest in up to five commercial radio stations, not more than three of which are in the same service (AM or FM) so long as that party does not own, operate, or control more than 50% of the stations in the market. *See* 47 C.F.R. § 73.3555(a)(1)(iv). Accordingly, common ownership of these two FM stations is permissible.

III. Radio Market Three: KKCH(FM), KTUN(FM), KNFO(FM), and KSPN-FM

The third radio market is defined by the principal community contours of radio stations KKCH(FM), KTUN(FM), KNFO(FM), and KSPN-FM and includes 26 radio stations. In such a market, a single licensee may have an attributable interest in up to 6 commercial radio stations, not more than four of which are in the same service (AM or FM). See 47 C.F.R. §73.3555(a)(1)(iii). Accordingly, common ownership of the four FM stations in this market is in full compliance with the Commission's regulations.

IV. Radio Market Four: KKCH(FM), KTUN(FM), KSKE-FM, and KSPN-FM

The fourth radio market is defined by the principal community contours of radio stations KKCH(FM), KTUN(FM), KSKE-FM, and KSPN-FM and includes 26 radio stations. In such a market, a single entity may have an attributable interest in up to 6 commercial radio stations, not more than four of which are in the same service (AM or FM). See 47 C.F.R. § 73.3555(a)(1)(iii). Accordingly, common ownership of the four FM stations in this market is in full compliance with the Commission's regulations.

V. Radio Market Five: KTUN(FM), KSMT(FM), and KSKE-FM

The fifth radio market is defined by the principal community contours of radio stations KTUN(FM), KSMT(FM), and KSKE-FM and includes 13 radio stations. In such a market, a single licensee may hold an attributable interest in up to five commercial radio stations, not more than three of which are in the same service (AM or FM) so long as that party does not own, operate, or control more than 50% of the stations in the market. See 47 C.F.R. § 73.3555(a)(1)(iv). Accordingly, common ownership of these three FM stations is in full compliance with the Commission's regulations.

As demonstrated herein and in the attached Technical Statement, NRC's proposed acquisition of KSMT(FM), KIDN-FM, KKCH(FM), KSKE-FM, KTUN(FM), KNFO(FM), KRMR(FM), KSPN-FM, and KFMU-FM is consistent with the numerical limits of the Commission's local radio ownership rules.

TECHNICAL STATEMENT
RADIO MULTIPLE OWNERSHIP ANALYSIS

NRC BROADCASTING, INC.

This radio multiple ownership analysis was prepared on behalf of NRC Broadcasting, Inc. The following stations are considered under proposed ownership or control:

Call Sign / Facility ID	Location	Facilities
KSMT(FM)/57336	Breckenridge, CO	Channel 272A 3 kW -70 m
KIDN-FM/57339	Hayden, CO	Channel 240C3 1.8 kW 360 m
KIDN-FM/57339 CP	Hayden, CO	Channel 240C3 6 kW 198 m
KKCH(FM)/4360	Glenwood, CO	Channel 224C 56 kW 763 m
KSKE-FM/16269	Vail, CO	Channel 284C1 100 kW 102 m
KTUN(FM)/44012	Eagle, CO	Channel 268C 37 kW 671 m
KTUN(FM)/44012 APP.	Eagle, CO	Channel 269C1 11.8 kW (Max-DA) 674 m
*KNFO(FM)/8780	Basalt, CO	Channel 291A 1.6 kW 111 m
KRMR(FM)/84270	Hayden, CO	Channel 297C2 29 kW 198 m
KSPN-FM/43884	Aspen, CO	Channel 276A 3 kW -26 m
KFMU-FM/34434	Oak Creek, CO	Channel 281C3 1.4 kW 327 m

The principal community contours of all of these stations are depicted on a map included herein as Figure 1. Since most of these stations have overlapping principal community contours (3.16 mV/m for FM stations), an ownership study was prepared in accordance with the Federal Communications Commission multiple ownership rules as outlined in Section 73.3555.

Radio Markets

The “radio markets” applicable to common ownership of the subject stations are defined as the areas encompassed by the mutually overlapping principal

* It is noted that KNFO(FM)’s pending license application (BMLH-20030501AAQ) facility was employed for the multiple ownership analysis.

community contours of the stations proposed to be commonly owned.[†] There are five “radio markets” defined for analysis under the Commission’s Rules. The table below lists the defined markets:

Defined Radio Market	Stations that Define Radio Market	
	AM Stations	FM Stations
Market 1	--	KRMR(FM), KIDN-FM (Licensed or Authorized CP), KFMU(FM)
Market 2	--	KFMU(FM), KTUN(FM) (Licensed or Application)
Market 3	--	KKCH(FM), KTUN(FM) (Licensed or Application), KNFO(FM), KSPN-FM
Market 4	--	KKCH(FM), KTUN(FM) (Licensed or Application), KSKE-FM, KSPN-FM
Market 5	--	KTUN(FM), KSMT(FM), KSKE-FM

Count of Stations in Defined Markets

The number of radio stations in a “radio market” is determined by counting the operating, commercial stations having principal community contours which overlap or intersect the principal community contours which define the radio market, plus the subject stations to be co-owned. The results of the analysis are tabulated below:

Defined Radio Market	Minimum Number of Stations in Radio Market
Market 1	3 AM, 5 FM; 8 Total
Market 2	3 AM, 10 FM; 13 Total
Market 3	10 AM, 16 FM; Total 26
Market 4	10 AM, 16 FM; Total 26
Market 5	2 AM, 11 FM; Total 13

[†] See Order in Implementation of Section 202(a) and 202(b)(1) of the Telecommunications Act of 1996 (Broadcast Radio Ownership) FCC 96-90, released March 8, 1996 and Memorandum Opinion and Order in Revision of Radio Rules and Policies 7 FCC Rcd 6387, 6395 para. 39 (1992).

Figures 2 thru 6 are tabulations of the radio stations identified in the defined radio markets tabulated above. Only known licensed, operating, commercial stations were employed for the study. Distances to the AM coverage contours were predicted using the antenna patterns as identified in the Commission's AM database and the appropriate Ground Wave Field Strength versus Distance Graph of 47 CFR 73.184. Ground conductivity data were obtained from FCC Figure M3. Distances to the FM contours were determined based on the method of 47 CFR 73.313. Terrain data was derived from the N.G.D.C. 30-second computer database for each of the FM stations using radials evenly-spaced every 10 degrees of azimuth.

Based on the above, it is concluded that the proposed combination of the stations to be owned complies with Section 73.3555(a) of the FCC Rules.

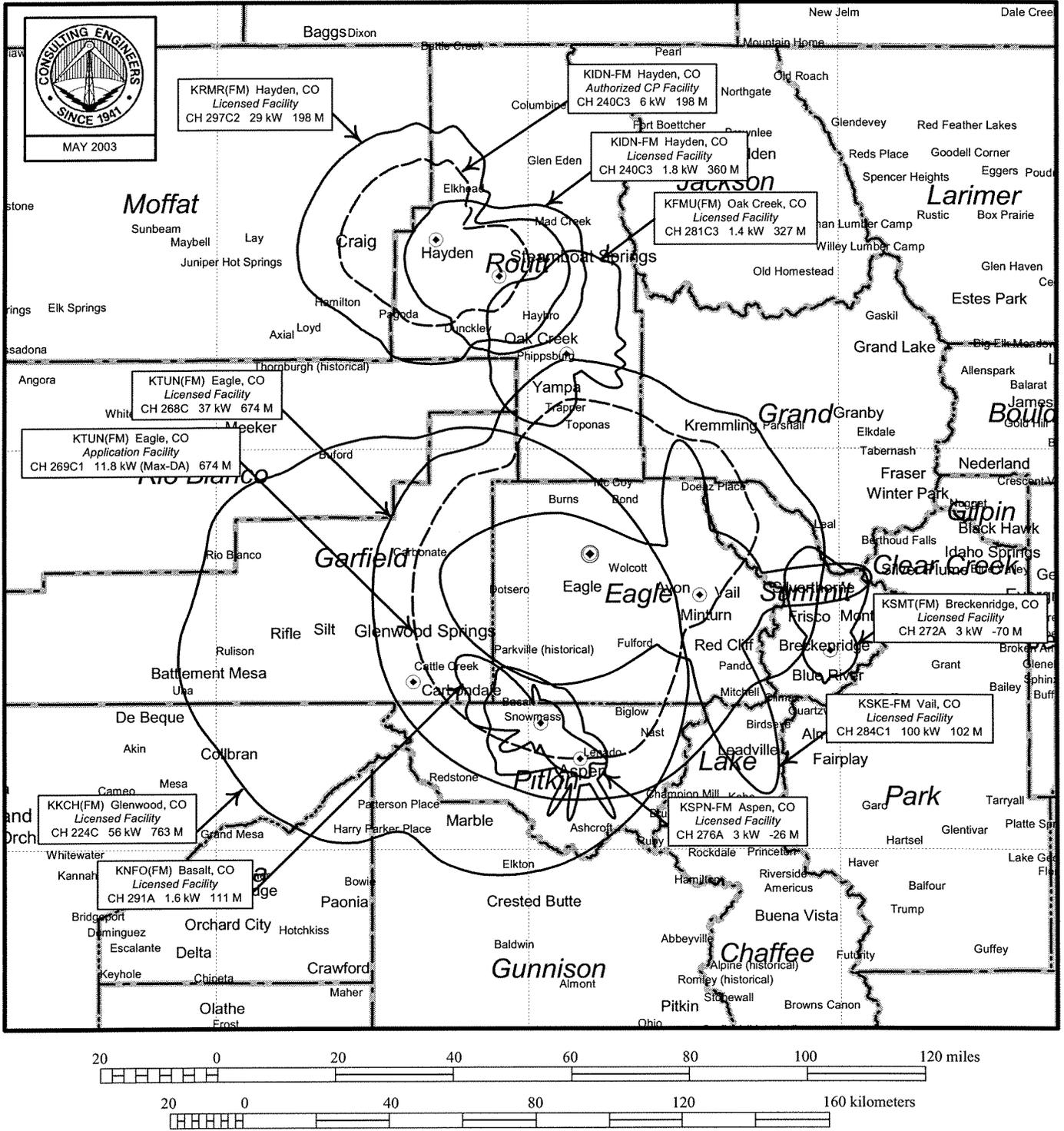


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Figure 1



PRINCIPAL COMMUNITY CONTOURS OF SUBJECT STATIONS

NRC BROADCASTING, INC.

du Treil, Lundin & Rackley, Inc., Sarasota, Florida

TECHNICAL STATEMENT
RADIO MULTIPLE OWNERSHIP ANALYSIS
NRC BROADCASTING, INC.

Tabulation of Stations Defined in Radio Market 1

<u>Call Sign</u>	<u>Community of License</u>	<u>State</u>	<u>Frequency</u>
KRAI	Craig	CO	550 kHz
KIDN-FM	Hayden	CO	95.9 MHz
KBCR-FM	Steamboat Springs	CO	96.9
KAYW	Meeker	CO	98.1
KTUN	Eagle	CO	101.5
KQZR	Craig	CO	102.5
KFMU	Oak Creek	CO	104.1
KRMR	Hayden	CO	107.3

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 NRC BROADCASTING, INC.

Tabulation of Stations Defined in Radio Market 2

<u>Call Sign</u>	<u>Community of License</u>	<u>State</u>	<u>Frequency</u>
KSKE	Vail	CO	610 kHz
KGLN	Glenwood Springs	CO	980
KBCR	Steamboat Springs	CO	1230
KBCR-FM	Steamboat Springs	CO	96.9 MHz
KMTS	Glenwood Springs	CO	99.1
KTUN	Eagle	CO	101.5
KZYR	Avon	CO	103.1
KSNO-FM	Snowmass Village	CO	103.9
KFMU-FM	Oak Creek	CO	104.1
KSKE-FM	Vail	CO	104.7
KNFO	Basalt	CO	106.1
KRKM	Kremmling	CO	106.3
KPVW	Aspen	CO	107.1

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 NRC BROADCASTING, INC.

Tabulation of Stations Defined in Radio Market 3

<u>Call Sign</u>	<u>Community of License</u>	<u>State</u>	<u>Frequency</u>
KRAI	Craig	CO	550 kHz
KSKE	Vail	CO	610
KJOL	Grand Junction	CO	620
KLTT	Commerce City	CO	670
KRGS	Rifle	CO	690
KKZN	Thornton	CO	760
KRKY	Granby	CO	930
KGLN	Glenwood Springs	CO	980
KNZZ	Grand Junction	CO	1100
KHTH	Dillon	CO	1130
KJYE	Grand Junction	CO	92.3 MHz
KMGJ	Grand Junction	CO	93.1
KYSL	Frisco	CO	93.9
KBCR-FM	Steamboat Springs	CO	96.9
KZYR	Avon	CO	97.7
KAYW	Meeker	CO	98.1
KMTS	Glenwood Springs	CO	99.1
KEKB	Fruita	CO	99.9
KSMT	Breckenridge	CO	102.3
KSNO-FM	Snowmass Village	CO	103.9
KFMU-FM	Oak Creek	CO	104.1
KMXY	Grand Junction	CO	104.3
KZKS	Rifle	CO	105.3
KRKM	Kremmling	CO	106.3
KPVW	Aspen	CO	107.1
KBKL	Grand Junction	CO	107.9

TECHNICAL STATEMENT
 RADIO MULTIPLE OWNERSHIP ANALYSIS
 NRC BROADCASTING, INC.

Tabulation of Stations Defined in Radio Market 4

<u>Call Sign</u>	<u>Community of License</u>	<u>State</u>	<u>Frequency</u>
KRAI	Craig	CO	550 kHz
KSKE	Vail	CO	610
KJOL	Grand Junction	CO	620
KLTT	Commerce City	CO	670
KRGS	Rifle	CO	690
KKZN	Thornton	CO	760
KRKY	Granby	CO	930
KGLN	Glenwood Springs	CO	980
KNZZ	Grand Junction	CO	1100
KHTH	Dillon	CO	1130
KJYE	Grand Junction	CO	92.3 MHz
KMGJ	Grand Junction	CO	93.1
KYSL	Frisco	CO	93.9
KBCR-FM	Steamboat Springs	CO	96.9
KZYR	Avon	CO	97.7
KAYW	Meeker	CO	98.1
KMTS	Gleenwood Springs	CO	99.1
KEKB	Fruita	CO	99.9
KSMT	Breckenridge	CO	102.3
KSNO-FM	Snowmass Village	CO	103.9
KFMU-FM	Oak Creek	CO	104.1
KMXY	Grand Junction	CO	104.3
KZKS	Rifle	CO	105.3
KRKM	Kremmling	CO	106.3
KPVW	Aspen	CO	107.1
KBKL	Grand Junction	CO	107.9

TECHNICAL STATEMENT
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 NRC BROADCASTING, INC.

Tabulation of Stations Defined in Radio Market 5

<u>Call Sign</u>	<u>Community of License</u>	<u>State</u>	<u>Frequency</u>
KSKE	Vail	CO	610 kHz
KGLN	Glenwood Springs	CO	980
KBCR-FM	Steamboat Springs	CO	96.9 MHz
KMTS	Glenwood Springs	CO	99.1
KTUN	Eagle	CO	101.5
KSMT	Breckenridge	CO	102.3
KZYR	Avon	CO	103.1
KSNO-FM	Snowmass Village	CO	103.9
KFMU-FM	Oak Creek	CO	104.1
KSKE-FM	Vail	CO	104.7
KNFO	Basalt	CO	106.1
KRKM	Kremmling	CO	106.3
KPVW	Aspen	CO	107.1