

## DECLARATION UNDER PENALTY OF PERJURY

James Conschafter declares under penalty of perjury:

1. I am Vice President for Broadcast Stations, Media General Broadcast Group, which is a division of Media General, Inc. In this capacity, I oversee the operations of 15 of the television stations owned and operated by Media General, Inc., including WSPA-TV, Spartanburg, South Carolina ("WSPA"). From March 27, 2000, until I was promoted to my current position on March 14, 2001, I was the General Manager for broadcast operations of Media General, Inc. in the Greenville-Spartanburg, SC – Asheville, NC – Anderson, SC television market (the "DMA"). Prior to March 27, 2000, which is the date on which Media General, Inc. (through a subsidiary) acquired the former Spartan Communications, Inc. and its subsidiary, Spartan Broadcasting Company (collectively, "Spartan"), I was Spartan's General Manager for broadcast operations in this same DMA, and held that position for four years. Since 1996 I have been responsible for the overall operations of WSPA and have also overseen the provision of programming for broadcast on WASV-TV, Asheville, North Carolina ("WASV" or the "Station"), pursuant to the Local Marketing Agreement ("LMA") signed in March 1996 by Spartan and WASV's licensee, Pappas Telecasting of the Carolinas ("Pappas"). I work closely with Pappas personnel to ensure the best possible programming and the most cost-effective operations for the Station. Under the licensee's ultimate control, Spartan (now Media General) has undertaken an extraordinary commitment to WASV's growth, development, and service to the public, and I am involved in this effort on a daily basis.

2. On behalf of Media General, Inc. and its subsidiary, Media General Broadcasting of South Carolina Holdings, Inc. (collectively "Media General"), I am submitting this Declaration in support of the request for waiver of Section 73.3555(b) of the FCC's rules (the "Waiver Request") in connection with the pending application for the assignment of the license for WASV from Pappas to Media General. I have personal knowledge of the matters set forth herein and of the matters set forth in the Waiver Request.

3. As of March 22, 1996, when Spartan and Pappas executed the WASV LMA and the Option Agreement to purchase WASV, WASV was still dark due to the collapse of its tower on Busbee Mountain. Previously, Pappas had only been re-broadcasting another small station's programming in any event and was not engaged in community outreach activities. After the Busbee Mountain facilities were repaired in August 1996, the Station resumed broadcasting at 12 kW, and Spartan elected to re-broadcast WSPA's programming on WASV as a temporary measure under the LMA until construction of new full-power facilities could be completed on Pinnacle Mountain. Although Pappas had already negotiated agreements for a few syndicated programs and a WB affiliation agreement for WASV, all of which Spartan assumed pursuant to the LMA, WASV was not capable of broadcasting any such programming with its rudimentary facilities on Busbee Mountain.

4. Once the new full-power facilities were completed by Spartan on Pinnacle Mountain, WASV commenced broadcasts of the WB network programming as well as non-

network programming that had been arranged by Pappas prior to the LMA. In addition, Spartan negotiated a separate network affiliation agreement with UPN, as described in the Waiver Request. Also, because the syndicated and network programs would not be sufficient to fill WASV's 168 broadcast hours per week, Spartan had negotiated agreements to garner supplemental programming specifically for WASV and not available on other stations in the market. As a result of Spartan's contacts and bargaining power in the market, Spartan was able to provide WASV with far superior programming than what WASV could have obtained on its own as a stand-alone station. The syndicated programs include sit-coms, talk shows, action adventure programs, and court television programs. Since late 1997, WASV has broadcast such popular, high-quality shows as "Martin" and "Star Trek Voyager" which were not being aired on other stations in the DMA, and will air "Jamie Foxx," "The Steve Harvey Show," and "Enterprise" this coming fall.

5. Spartan endeavored to serve the community by securing entertainment programs of uniquely local interest on WASV, and Media General continues this trend. In the fall, for example, the Station regularly airs the "Panthers Huddle," a weekly coaches show that discusses the performance of the Carolina Panthers, and a similar weekly coaches show for the Wofford College football team. The latter is produced by the Station using WSPA's production personnel and equipment. The Station has also broadcast special local events such as the football game played in Walt Disney World in the fall of 1999 by the local A.C. Reynolds High School football team against a Texas high school team, the Greenville Christmas Parade, and the Greenville City Tree Lighting Ceremony. These programs simply were not (and are not) shown on the other stations, despite their appeal to local residents.

6. In addition, under the LMA, the Station has been able to air programs that address public concerns. For example, WASV aired the Hurricane Floyd Flood Relief Telethon in the fall of 1999, a statewide telethon produced by the North Carolina Association of Broadcasters, that raised 2.3 million dollars. Through Spartan's efforts, WASV was the first station in the market to air an annual four-hour United Negro College Fund telethon to raise funds for college scholarships for minorities in 1999. WASV aired the telethon again in 2000 and 2001. Also in 1999, 2000, and 2001, WASV aired the "Greenville Humane Society Petelethon," a five-hour special to raise money for the Humane Society to improve the quality of life and humane treatment of animals, and has already planned to air it next year as well. WASV has also aired the "District Report Card," a report on the Greenville County school year discussing test scores, renovation and construction projects, student and staff achievements, and the School District Budget. As with the local entertainment programming, these public service programs would not otherwise be available to viewers in this television market.

7. Spartan was extremely community minded and felt a keen responsibility to inform viewers in Asheville and its environs of special events and activities of locally-based organizations. This spirit continues with Media General as programmer. Accordingly, solely with the benefit of WSPA personnel and equipment, WASV produces and/or airs public service announcements for Asheville organizations, drawing more residents to support such organizations and/or attend their events. Under the LMA, WASV has promoted the activities of such local organizations as the Asheville United Way, the Asheville-Buncombe Community Christian Ministries, the Asheville Area Chamber of Commerce, the local Diane Wortham Theater, and MANNA, an Asheville-based Food Bank organization that serves a number of

counties in North Carolina. WASV has also aired public service announcements promoting local Asheville festivals such as "Unity in Diversity" sponsored by the Asheville Parks and Recreation Service, and "Bele Chere," an arts and crafts street festival in downtown Asheville. With the benefit of WSPA's high-tech weather equipment and staff, WASV also broadcasts severe weather warnings and notifies viewers of weather-related school and business closings in the Asheville vicinity.

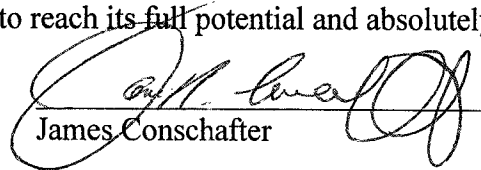
8. In conjunction with on-air public service announcements and programming, WASV also sponsors or supports community initiatives and off-air programs. Spartan arranged for the Station's participation in such off-air events as "Scare Away Hunger," a Halloween season food drive at a local shopping mall, and the L.E. Gable Middle School Auction, for which the Station donated gifts to be auctioned to raise school funds. The Station has also sponsored a Spartanburg Blood Bank Drive as well as an Easter Seals Program to distribute car seats to needy families.

9. WASV's special focus on teens and children since Spartan became involved is a particular source of pride. A Teen Advisory Board is convened four times per year to identify issues of concern to teenagers in the community, and that information is used to develop responsive programming or to identify community events for sponsorship or other support. Every quarter, WASV produces and airs a half-hour program at 7:30 p.m. called "Speak Your Peace" about the issues of concern identified by the Teen Advisory Board. In recent episodes, the members of the Teen Advisory Board have comprised the live audience interacting with the show's hosts, enhancing the show's accessibility and appeal to local teens. WASV has also broadcast programs such as "Teen Files," a one-hour special shown a few times during the year addressing teen concerns about such issues as violence, race awareness, and hate crimes. WASV sponsors and/or promotes (through public service announcements) ongoing off-air programs for teenagers and children. These include the "Shadowing Program" which provides opportunities for local students to spend a day at a business to gain insights into possible career choices, and "The Father Factor" which addresses the needs of fatherless families. The Station makes available WSPA's facilities for a meeting of the 35 local organizations that participate in "The Father Factor" to facilitate collaboration among these organizations. Furthermore, since the first quarter of 1998, WASV has aired between four and four and one-half hours of core children's programming per quarter. This children's programming comprises not only WB and UPN network programming but also additional syndicated educational programming.

10. Notwithstanding WASV's growth under the LMA, the Station still captures a low audience share and consequently does not generate sufficient advertising sales revenues to support local programming on its own. Original programming in particular is extremely expensive to produce. The numerous programming and other public service benefits described above have only been possible for WASV because of the cost efficiencies that arise from consolidated in-market operations. WASV is currently charged about \$162,000 per year for management services which include the services of staff in the areas of human resources, payroll, accounts payable, computer services, the art department, insurance, banking and financing services, audit fees and general management advisory services. As a stand-alone station, WASV would be required to hire its own personnel independently or contract such services to outside providers at substantially higher costs. WASV also achieves cost efficiencies from its purchase

of group health insurance through WSPA's provider in the market. In addition to the cost savings, the coverage benefits are more extensive than what would be available to a smaller group at WASV alone. General insurance would also be more expensive for WASV operating alone, and coverage would be diminished. WSPA's Creative Services personnel, who produce commercials and specials, are also shared. As a result, WASV's cost for Creative Services is budgeted at \$48,000 per year, whereas the estimated annual cost for a full production department could be at least \$200,000. Programming for a stand-alone station could cost approximately \$350,000 more annually than what WASV spends under the LMA. Because Spartan is purchasing non-network programming for two stations, rather than just one, it is able to negotiate more favorable terms, and these advantages are passed along to WASV.

11. The cost savings associated with shared resources under the LMA combined with Spartan's expertise and dedication have enabled WASV to air programming of particular interest to a segment of the population that was historically underserved in this television market. There is no question that Spartan's involvement with WASV under the LMA resulted in a completely new television station adding tremendous diversity to the mix of programming broadcast in this region. In addition, WASV's extensive community outreach under the LMA has resulted in other tangible benefits for the local population. I am certain that if the FCC grants a waiver of the Duopoly Rule to permit Media General to acquire WASV, the public interest benefits will be further enhanced and WASV will be able to reach its full potential and absolutely thrive as a competitor in this market.

  
James Conschafter

Signed this 13 day of July, 2001