

290C2 Multiple Ownership Study

Pursuant to the Commission's newly revised ownership rules in Section 73.3555, the following Multiple Ownership Study was conducted to determine if a grant of the instant application will comply with the Commission's rules. The facility in question has been assigned FCC Facility ID number 95694. Since the facility has not yet been assigned call letters, the Applicant shall refer to the station by its channel and class ("290C2") in this study.

By this application, Kevin Terry, the assignee of 290C2 (the "Applicant"), proposes to commence operations at Missoula, MT, as he was the high bidder for the station in Auction 37. Missoula, MT, is not located within the geographic boundaries of any Arbitron Metro Market. Also, since it is a new station, 290C2 is not considered as "home" to a rated Arbitron Market as defined by BIA. Therefore, the modified contour overlap method has been used to evaluate 290C2's compliance with the new local radio ownership rules.

The Applicant has an attributable interest in the following nearby radio stations which will eventually share a mutual principal community contour overlap area with the proposed facility if all applications are granted:

TABLE 1

<u>Station</u>	<u>Channel/Class/Status</u>	<u>City of License</u>	<u>Overlap with 290C2?</u>
290C2 (FM)	290C2 App	Missoula, MT	n/a
277C2 (FM) ¹	277C2 App	Florence, MT	YES
283C0 (FM) ²	283C0 App	Stevensville, MT	YES

The first accompanying map illustrates the predicted 3.16 mV/m FM contours of these stations. As can be shown on the map, the proposed 290C2 facility has one "mutual overlap" radio market with the following stations under common control:

TABLE 2

	<u>FM Stations</u>	<u>AM Stations</u>
Radio Market #1:	277C2, 283C0, 290C2	none

The Applicant's stations defining the radio market (the "numerator") are listed in the Table 2, above. The total number of stations in the radio market (the "denominator") only includes those stations listed

¹ The facility referred to herein as 277C2 Florence, MT, has been assigned FCC Facility ID number 96489. As high bidder for 277C2 in Auction 37, the Applicant shares an attributable interest in 277C2 which, itself, has contemporaneously filed its own 301 application.

² The facility referred to herein as 283C0 Stevensville, MT, has been assigned FCC Facility ID number 94409. As high bidder for 283C0 in Auction 37, the Applicant shares an attributable interest in 283C0 which, itself, has contemporaneously filed its own 301 application.

in Table 3 below. The second accompanying map illustrates the predicted 3.16 mV/m FM contours and 5 mV/m AM contours of the denominator stations and their relation to the mutual overlap area.

The stations listed in Table 3 all meet the following conditions:

- All have transmitter sites within 92 kilometers of the mutual overlap area.
- All of the Applicant's stations listed completely overlap the Radio Market mutual overlap area.
- Commercial and Noncommercial stations have been counted.

The following 21 stations in Table 3 are included in the "denominator" for the radio market:

TABLE 3

Duopoly Study Center = N46 48 08, W113 58 22
Date: 11-14-2004

1 >*283C0 464808N 1135822 283C0 15.00 User Reference
2 KBAZ.L 464808N 1135821W 0 90 242C 85 Hamilton MT BLH20000407ABZ
3 KBGA.L 465256N 1135908W 8.9 353 210A 1 Missoula MT BLED19961122KD
4 KBQQ.L 464809N 1135819W 0.1 64 294C1 13 Pinesdale MT BLH20021203ACV
5 KERR.L 473834N 1140725W 94.1 353 750 50 POLSON MT BL19840320AB
6 KGGL.L 470157N 1135931W 25.6 356 227C 43 Missoula MT BLH19950426KA
7 KGRZ.L 465239N 1140236W 9.9 327 1450 1 MISSOULA MT BL19970613AB
8 KGVO.L 464947N 1140445W 8.7 290 1290 5 MISSOULA MT BL
9 KLCY.L 465157N 1140457W 11 310 930 5 EAST MISSOULA MT BL19840911AM
10 KLTCFM.L 470145N 1144118W 60.1 295 298C1 100 Superior MT BLH20010514AAH
11 KLYQ.L 461522N 1140945W 62.4 193 1240 1 HAMILTON MT BL
12 KMSO.L 464830N 1135838W 0.8 333 273C1 14 Missoula MT BLH19931220KB
13 KMZL.L 464809N 1135821W 0 34 216C2 1 Missoula MT BLED19980720KB
14 KPLG.L 472222N 1145131W 92.5 313 218C1 1.8 Plains MT BMLED20040607AAB
15 KQRK.L 474625N 1141604W 110.3 348 222C 60 Ronan MT BLH19811103AN
16 KUFM.L 470158N 1135929W 25.7 356 206C 14.5 Missoula MT BLED19920722KA
17 KUFN.L 461346N 1141401W 66.7 197 220A 0.9 Hamilton MT BLED19981204KB
18 KXDR.L 463036N 1135845W 32.5 180 254C1 100 Hamilton MT BLH19990727KA
19 KYLT.L 465256N 1135908W 8.9 353 1340 1 MISSOULA MT BL19870803AB
20 KYSSFM.L 470157N 1135930W 25.6 356 235C 62 Missoula MT BLH19961025KH
21 KZOQFM.L 464809N 1135821W 0 34 261C1 13.5 Missoula MT BLH19931116KZ

In a radio market with between 15 and 29 (inclusive) commercial and noncommercial radio stations, Section 73.3555 of the Commission's rules allows a party to own, operate, or control up to 6 commercial radio stations, not more than 4 of which are in the same service (AM or FM). Since the Applicant has an attributable interest in 3 FM stations in the radio market, the Applicant submits that the instant application for 290C2 complies with the newly revised multiple ownership rules of Section 73.3555.

Kevin Terry
Applicant



