

**WMMY**  
**Jefferson, North Carolina**

**Multiple Ownership Exhibit**

**for**

**Aisling Broadcasting of Banner Elk, LLC**

**January 26, 2004**

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## Declaration

I declare, under penalty of perjury, that I am a technical consultant to broadcasting and other communications systems, that I have over twenty-five years of experience in the engineering of broadcast and other communications systems, that I am familiar with the Federal Communications Commission's Rules found in the Code of Federal Regulations Title 47, that I am a Professional Engineer registered in North Carolina, that I have prepared or supervised the preparation of the attached Engineering Exhibit for the Aisling Broadcasting of Banner Elk, LLC, and that all of the facts therein, except for facts of which the Federal Communications Commission may take official notice, are true to the best of my knowledge and belief.



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26 January 2004

## Narrative

The purpose of this exhibit is to demonstrate that the proposed acquisition of WMMY(FM) in Jefferson, North Carolina by Aisling Broadcasting of Banner Elk, LLC (“Aisling”) would be in compliance with §73.3555 of the Commission’s rules. Aisling is the proposed assignee of five (5) other radio stations in North Carolina under two separate assignment applications which have been granted by the Commission. Those other stations are WECR(AM), WECR-FM, WXIT(AM), WATA(AM) and WZJS(FM). A review and analysis of the contours of the stations to be owned by Aisling make it clear that the proposed combination is in full compliance with the Commission’s multiple ownership rule.

### Overlap of Contours

The market, as defined by Section 73.3555 for the combination of WMMY (FM), WECR (AM), WECR-FM, WXIT (AM), WATA (AM), and WZJS (FM), contains at least 16 commercial radio stations. That places the market in the third tier of radio markets. Ownership or control is permitted for a maximum of six (6) stations, no more than four (4) of which can be in a single service, AM or FM, to be in compliance with §73.3555(a)(iii).

Figure 1 shows the principal community ( $3.16 \mu\text{V}/\text{m}$  or  $70 \text{ dB}\mu\text{V}/\text{m}$ ) contours of WMMY, WECR-FM and WZJS along with the FM stations which have principal community contours overlapping at least one of the stations. The combined principal community coverage area of the three FM stations in the proposed combination is shaded to assist in determining the overlapping contours. Figure 1 establishes overlap by the city grade contours of nine (9) additional FM stations. All of the FM contours were plotted based on height above average terrain extracted from the Defense Mapping Agency 3 arcsecond database. The three AM stations included in the combination are plotted by site only. While the site for WECR (AM) is not within the combined FM principal community contour area, the WECR (AM) principal community contour does overlap the combined FM principal community contour. In addition, AM radio station WSKK has a transmitter site within the combined coverage area. By

definition, the principal community contour of WSKS will overlap at least the principal community contour of WMMY. The stations considered are listed in Table 1 below.

There is no overlap between the principal community contours of WMMY (FM), WECR (AM), WECR-FM, WXIT (AM), WATA (AM), and WZJS (FM) and the principal community contours of any other authorized or proposed facilities for any station in which the principals of Aisling have an attributable interest.

Table 1: Stations in Market

FM Stations							
No.	Call Sign	File Number	Latitude Longitude	ERP (kW)	Channel Frequency	Height AMSL (meters)	Antenna
1	WMMY	BLH20000104ABR	36-19-53 N 81-35-17 W	10.5	291 106.1	1226	Omni
2	WECRFM	BLH19961011KB	36-11-03 N 81-52-48 W	0.135	272 102.3	1657	Directional
3	WZJS	BLH19920623KB	36-10-34 N 81-50-05 W	1.1	264 100.7	1303	Directional
4	WKBCFM	BLH19970711KA	36-04-34 N 81-07-43 W	100	247 97.3	803	Directional
5	WKVS	BLH19950928KB	35-58-31 N 81-33-05 W	1	277 103.3	694	Omni
6	WMIT	BLH19990406KB	35-44-06 N 82-17-11 W	35	295 106.9	2033	Omni
7	WQUT	BMLH19980904KD	36-16-07 N 82-20-21 W	100	268 101.5	1069	Omni
8	WXBQFM	BLH19950914KB	36-25-59 N 82-08-11 W	75	245 96.9	1308	Directional
9	WTZR	BLH19980630KG	36-24-07 N 82-12-12 W	3.6	257 99.3	808	Omni
10	WMEVFM	BLH19870902KA	36-54-08 N 81-32-33 W	100	230 93.9	1180	Directional
11	WTFM	BLH19950213KA	36-25-54 N 82-08-15 W	74	253 98.5	1305	Directional
12	WBRF	BLH19910423KA	36-33-34 N 80-49-25 W	100	251 98.1	1149	Directional
AM Stations							
13	WECR	BL-19780720AA	36-04-30 N 81-54-59 W	1	1130		NDD
14	WXIT	BL-19990706DE	36-09-17 N 81-39-41 W	10	1200		NDD
15	WATA	BR-20030728AJX	36-12-59 N 81-42-06 W	1	1450		ND1
16	WKSK	BL-20011004AAY	36-24-39 N 81-29-46 W	5	580		ND2

