

MODIFY BMLH-20011204AAN
CUMULUS LICENSING LLC
KBAT (FM) RADIO STATION
CH 260C1 - 99.9 MHZ - 100.0 KW
MONAHANS, TEXAS
May 2006

EXHIBIT C

MULTIPLE OWNERSHIP REVIEW

1. Cumulus Licensing LLC has increased the effective radiated power of KBAT, Monahans, Texas and is required to show that the increase does not cause a violation of the ownership rules (§73.3555). KBAT is not located within a metro county in any Arbitron/BIA market. However, KBAT is considered “home” to the Odessa-Midland, Texas market. Cumulus is also the licensee of KGEE, Channel 247C1, Pecos, Texas; KMND, 1510 kHz, Midland, Texas; KNFM, Channel 222C, Midland, Texas; KZBT, Channel 227C1, Midland, Texas; KRIL, 1470 kHz, Odessa, Texas; and KODM, Channel 250C1, Odessa, Texas. KMND, KNFM, KZBT, KRIL and KODM are all licensed to communities within the Odessa-Midland, Texas Arbitron/BIA Market (Market #188). KGEE is considered “home” to the Odessa-Midland, Texas market. As a result, a hybrid ownership analysis is needed with respect to rated markets and a contour overlap review for stations not licensed to metro counties within a rated market.

ARBITRON/BIA MARKET REVIEW

2. As shown on Exhibit C1, there are twenty-eight AM and FM (commercial and non-commercial) stations listed in the Odessa-Midland, Texas Market. Cumulus will remain in

control of five FM stations and two AM stations in the market. The number of stations indicated falls in the fifteen to twenty-nine stations tier of §73.3555(a)(1)(iii) of the Commission's rules. At this level, common ownership or control of up to six stations, with no more than four in the same service, is permissible. This combination of stations owned by Cumulus existed prior to the change in §73.3555 of the rules and, as such, is grandfathered.¹ Further, pursuant to Note 4, §73.3555, since the KBAT power increase will not change the concentration of stations in the subject Arbitron market, it is believed that KBAT remains grandfathered under the Commission's ownership rules for rated markets.

REVISED CONTOUR OVERLAP ANALYSIS

3. As KBAT is licensed to a non-metro county a contour overlap analysis has also been conducted for ownership compliance review. A map depicting the city grade contours of the seven above referenced stations is attached as Exhibit C2. Based on the contour overlap, two distinct markets exist. Market #1 consists of FM stations KBAT, KNFM, KODM and KZBT, and AM stations KRIL and KMND. Market #2 consists of FM stations KBAT and KGEE.

4. A study has been conducted to verify that the ownership of these facilities, in two separate markets, is in compliance with the Commission's multiple ownership rules. Since KBAT is a subject station in each market, its contour will be used to determine the number of other stations providing service to the market. Then the relevant subject stations in each market will be added to determine the total number of stations in the respective market. As such, the

1) Under the former contour overlap analysis rules, Cumulus was in compliance with the ownership rules.

KBAT contour will be considered the "Radio Market Boundary". No stations with transmitters located more than 92.0 kilometers from the boundary of the common overlap of subject stations will be considered. Further, no other facility controlled by Cumulus will be considered as a market contributor, unless it is a subject station in the pertinent radio market under study.

5. Exhibit C3 is a depiction of the other AM and FM stations (commercial and non-commercial) providing service to the KBAT Radio Market. A total of thirteen stations are shown. Exhibit C4 is a tabulation of the stations in Radio Market #1, which shows a total of nineteen stations, including the six subject stations.² The number of stations depicted falls in the fifteen to twenty-nine stations tier of 73.3555(a)(1)(iii) of the Commission's rules. At this level, common ownership or control of up to six stations with no more than four in the same service is permissible. Therefore, Radio Market #1 is in compliance with the rules.

6. Exhibit C5 is a tabulation of the stations in Radio Market #2, which shows a total of fifteen stations, including the two subject stations.³ The number of stations depicted falls in the fifteen to twenty-nine stations tier of 73.3555(a)(1)(iii) of the Commission's rules. At this level, common ownership or control of up to six stations with no more than four in the same service is permissible. Therefore, Radio Market #2 is in compliance with the rules.

7. Based on the above, the ownership for rated markets remains unchanged as a result of this power increase for station KBAT (the combination remains grandfathered) and under the

2) Although there are additional stations providing service to the Radio Market, they are not considered since the number of stations was ample to demonstrate compliance with the rules based on the number of stations proposed to be commonly owned

3) See Footnote 2, *supra*.

revised contour overlap rules, KBAT is also in compliance with the ownership rules. Therefore, it is believed that the increase of effective radiated power for KBAT does not cause a violation of the multiple ownership rules and is, therefore, in compliance with §73.1690(c)(7) of the rules.



FCC Geographic Market Definition for Odessa-Midland, TX

Call Letters	AM/FM	Freq	Type Station	Format	Home Market	Market Designtn Date	Home Mkt Rank	Owner	City & State of License	County of License
KBAT	FM	99.9	C	Rock	Odessa-Midland, TX	07/02/2003	188	Cumulus Broadcasting Inc	Monahans, TX	Ward
KBMM	FM	89.5	NC	Christian	Odessa-Midland, TX	07/02/2003	188	American Family Association Incorporated	Odessa, TX	Ector
KCHX	FM	106.7	C	AC	Odessa-Midland, TX	07/02/2003	188	Clear Channel Communications	Midland, TX	Midland
KCRS	AM	550	C	News/Talk	Odessa-Midland, TX	07/02/2003	188	Clear Channel Communications	Midland, TX	Midland
KCRS	FM	103.3	C	Adult Hits	Odessa-Midland, TX	07/02/2003	188	Clear Channel Communications	Midland, TX	Midland
KFLB	AM	920	NC	Inspiration	Odessa-Midland, TX	07/02/2003	188	Family Life Communications Inc	Odessa, TX	Ector
KFLB	FM	90.5	NC	Inspiration	Odessa-Midland, TX	07/02/2003	188	Family Life Communications Inc	Odessa, TX	Ector
KFZX	FM	102.1	C	Clsc Rock	Odessa-Midland, TX	07/02/2003	188	Clear Channel Communications	Gardendale, TX	Ward
KGEE	FM	97.3	C	Country	Odessa-Midland, TX	02/10/2006	188	Cumulus Broadcasting Inc	Pecos, TX	Reeves
KHKX	FM	99.1	C	Country	Odessa-Midland, TX	07/02/2003	188	Double O Radio LLC	Odessa, TX	Ector
KJBC	AM	1150	NC	Chrst/Talk	Odessa-Midland, TX	07/02/2003	188	La Promesa Foundation	Midland, TX	Midland
KKJW	FM	105.9	C	Country	Odessa-Midland, TX	07/02/2003	188	Unique Broadcasting LLC	Stanton, TX	Martin
KLWV	FM	88.7	NC	ChrsContem	Odessa-Midland, TX	07/02/2003	188	Educational Media Foundation	West Odessa, TX	Ector
KMCM	FM	96.9	C	Oldies	Odessa-Midland, TX	07/02/2003	188	Double O Radio LLC	Odessa, TX	Ector
KMMZ	FM	101.3	C	RlgMs/Mexc	Odessa-Midland, TX	07/02/2003	188	Cook, Don L.	Crane, TX	Crane
KMND	AM	1510	C	Sports	Odessa-Midland, TX	07/02/2003	188	Cumulus Broadcasting Inc	Midland, TX	Midland
KMRK	FM	96.1	C	CHR	Odessa-Midland, TX	07/02/2003	188	Clear Channel Communications	Odessa, TX	Ector
KNFM	FM	92.3	C	Country	Odessa-Midland, TX	07/02/2003	188	Cumulus Broadcasting Inc	Midland, TX	Midland
KOCV	FM	91.3	NC	Variety	Odessa-Midland, TX	07/02/2003	188	Odessa Junior College District	Odessa, TX	Ector
KODM	FM	97.9	C	AC	Odessa-Midland, TX	07/02/2003	188	Cumulus Broadcasting Inc	Odessa, TX	Ector
KOZA	AM	1230	C	Mexican	Odessa-Midland, TX	07/02/2003	188	Stellar Media Inc	Odessa, TX	Ector
KQLM	FM	107.9	C	Mexican	Odessa-Midland, TX	07/02/2003	188	Stellar Media Inc	Odessa, TX	Ector
KQRX	FM	95.1	C	Alternative	Odessa-Midland, TX	07/02/2003	188	Double O Radio LLC	Midland, TX	Midland
KRIL	AM	1410	C	Sports	Odessa-Midland, TX	07/02/2003	188	Cumulus Broadcasting Inc	Odessa, TX	Ector
KTXC	FM	104.7	C	Mexican	Odessa-Midland, TX	07/02/2003	188	Drewry Communications Group	Lamesa, TX	Dawson
KWEL	AM	1070	C	Talk	Odessa-Midland, TX	07/02/2003	188	Quiroz, Faustino	Midland, TX	Midland
KXOI	AM	810	C	Span/Reign	Odessa-Midland, TX	02/09/2004	188	Hispanic Outreach Ministries, Inc.	Crane, TX	Crane
KZBT	FM	93.3	C	CHR/HHP/R	Odessa-Midland, TX	07/02/2003	188	Cumulus Broadcasting Inc	Midland, TX	Midland

Number of Stations in Geographic Market 28

"C" - Commercial Station; "NC" - Non Commercial Station

"p" indicates pending sale to owner listed

EXHIBIT C1

Graham Brock, Inc. - Broadcast Technical Consultants

KBAT
Latitude: 31-45-40 N
Longitude: 102-31-28 W
ERP: 100.00 kW
Channel: 260C1
Frequency: 99.9 MHz
AMSL Height: 1081.0 m

KGEE
BLH-19991001ABW
Latitude: 31-30-54 N
Longitude: 103-11-25 W
ERP: 100.00 kW
Channel: 247C1
Frequency: 97.3 MHz
AMSL Height: 930.0 m

KNFM
BLH-19880614KC
Latitude: 32-05-51 N
Longitude: 102-17-21 W
ERP: 100.00 kW
Channel: 222C
Frequency: 92.3 MHz
AMSL Height: 1188.0 m

KZBT
BMLH-20050324ADN
Latitude: 31-57-30 N
Longitude: 102-03-59 W
ERP: 100.00 kW
Channel: 227C1
Frequency: 93.3 MHz
AMSL Height: 981.0 m

KODM
BMLH-20050324ADQ
Latitude: 31-47-39 N
Longitude: 102-10-42 W
ERP: 100.00 kW
Channel: 250C1
Frequency: 97.9 MHz
AMSL Height: 975.0 m

KRIL
Latitude: 31-49-33 N
Longitude: 102-21-21 W
ERP: 0.90 kW
Frequency: 1410.0 kHz

KMND
Latitude: 31-57-49 N
Longitude: 102-04-53 W
ERP: 2.40 kW
Frequency: 1510.0 kHz

KNFM 3.16 mV/m

KZBT 3.16 mV/m

KBAT 3.16 mV/m

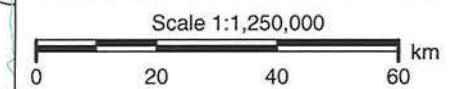
KGEE 3.16 mV/m

KMND 5.0 mV/m

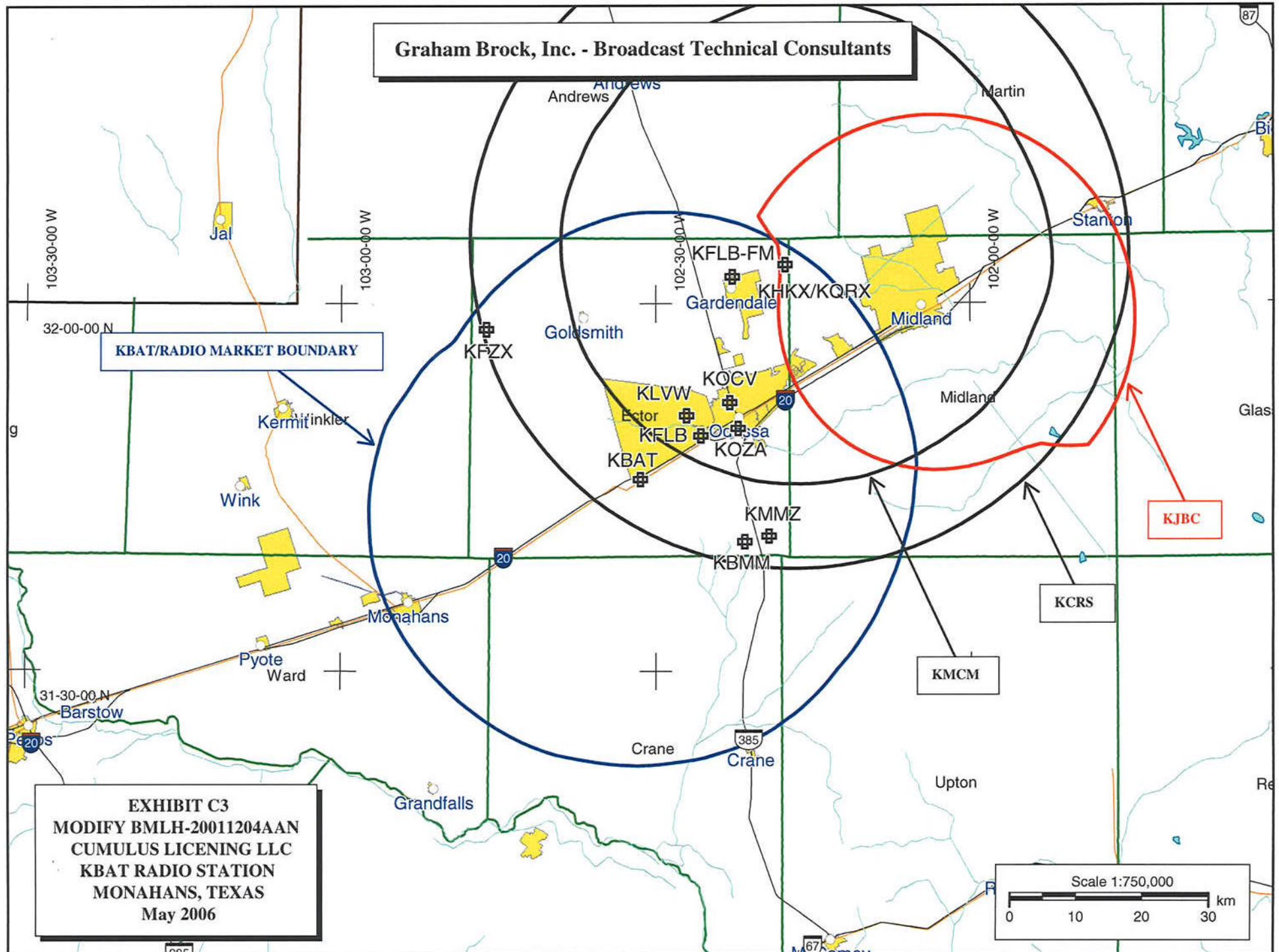
KODM 3.16 mV/m

KRIL 5.0 mV/m

EXHIBIT C2
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EXHIBIT C4

Tabulation of Stations in Radio Market #1

AM Stations

	KFLB	920 kHz	Odessa, Texas
+	KJBC	1150 kHz	Midland, Texas
	KOZA	1230 kHz	Odessa, Texas
*	KRIL	1410 kHz	Odessa, Texas
*	KMND	1510 kHz	Midland, Texas

Total AM Stations - 5

FM Stations

	KLVW	Ch 204C1	West Odessa, Texas
	KBMM	Ch 208C2	Odessa, Texas
	KFLB-FM	Ch 213C2	Odessa, Texas
	KOCV	Ch 217A	Odessa, Texas
*	KNFM	Ch 222C	Midland, Texas
*	KZBT	Ch 227C1	Midland, Texas
	KQRX	Ch 236C3	Midland, Texas
+	KMCM	Ch 245C1	Odessa, Texas
*	KODM	Ch 250C1	Odessa, Texas
	KHKX	Ch 256C1	Odessa, Texas
*	KBAT	Ch 260C1	Monahans, Texas
	KMMZ	Ch 267C1	Crane, Texas
	KFZX	Ch 271C	Gardendale, Texas
+	KCRS-FM	Ch 277C1	Midland, Texas

Total FM Stations - 14

GRAND TOTAL OF STATIONS CONSIDERED IN STUDY - 19

- * Subject station.
- + Station provides city grade contour to market boundary.

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EXHIBIT C5

Tabulation of Stations in Radio Market #2

AM Stations

	KFLB	920 kHz	Odessa, Texas
+	KJBC	1150 kHz	Midland, Texas
	KOZA	1230 kHz	Odessa, Texas

Total AM Stations - 3

FM Stations

	KLVW	Ch 204C1	West Odessa, Texas
	KBMM	Ch 208C2	Odessa, Texas
	KFLB-FM	Ch 213C2	Odessa, Texas
	KOCV	Ch 217A	Odessa, Texas
	KQRX	Ch 236C3	Midland, Texas
+	KMCM	Ch 245C1	Odessa, Texas
*	KGEE	Ch 247C1	Pecos, Texas
	KHKX	Ch 256C1	Odessa, Texas
*	KBAT	Ch 260C1	Monahans, Texas
	KMMZ	Ch 267C1	Crane, Texas
	KFZX	Ch 271C	Gardendale, Texas
+	KCRS-FM	Ch 277C1	Midland, Texas

Total FM Stations - 12

GRAND TOTAL OF STATIONS CONSIDERED IN STUDY - 15

- * Subject station.
- + Station provides city grade contour to market boundary.