EXHIBIT 5

A Petition was filed against K30IK, Cripple Creek, etc., Colorado in connection with an application (File No. BPTTL-20050506ACL). The Petition alleged that the application was a major change and therefore violated the Commission's rules and also alleged that the licensee failed to file a timely request for authority to remain silent. While Tuck Properties, Inc does not consider the allegations to be in the nature of unresolved character issues, they are reported herein in an abundance of caution. Subsequently, the Petitioner notified the Commission that it did not object to a grant of the application and that it would not seek review if its Petition were denied or dismissed.