

## **EXHIBIT 16**

### **Multiple Ownership**

The instant application is one of three concurrently filed applications seeking Commission consent to the assignment of the licenses of five full power commercial television stations, two low power television stations, and related auxiliary and other facilities, from Newport Television License LLC (“Newport”), to three entities ultimately controlled by Sinclair Broadcast Group, Inc. (“SBG”).

Including the instant application, a separate application is being filed for the following stations:

<b>Call Letters</b>	<b>Community Of License</b>	<b>Facility ID</b>	<b>Assignor</b>	<b>Assignee</b>
WHP-TV	Harrisburg, PA	72313	Newport Television License LLC	WHP Licensee, LLC
WKRC-TV	Cincinnati, OH	11289	Newport Television License LLC	WKRC Licensee, LLC
KSAS-TV KSAS-LP KAAS-TV KAAS-LP KOCW(TV)	Wichita, KS Dodge City, KS Salina, KS Garden City, KS Hoisington, KS	11911 11967 11912 11968 83181	Newport Television License LLC	KSAS Licensee, LLC

This application seeks Commission consent to the assignment of license for television station KSAS-TV, Wichita, Kansas, KSAS-LP, Dodge City, Kansas, KAAS-TV, Salina, Kansas, KAAS-LP, Garden City, Kansas and KOCW(TV), Hoisington, Kansas (the “Stations”), from Newport to KSAS Licensee, LLC (“KSASLLC”). As disclosed in Exhibit 13, the sole member of the proposed assignee, KSASLLC, is Sinclair Communications, LLC, which is controlled by Sinclair Television Group, Inc., which is controlled by SBG.<sup>1</sup> SBG does not currently hold any

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<sup>1</sup> SBG will also acquire Newport's rights under the local marketing agreement with WLYH in Harrisburg, Pennsylvania and KMTW in Wichita, Kansas.

attributable interests in the Wichita-Hutchinson Designated Market Area (“DMA”). Pursuant to the most recent grant of a “continuing waiver of Section 73.1125 of the Commission’s Rules” (“Main Studio Waiver”), the Stations are collocated in Wichita, Kansas at the KSAS-TV main studio.<sup>2</sup>

The Main Studio Waiver was originally granted to Clear Channel Broadcasting Licenses, Inc. (“CCBL”), in 1998.<sup>3</sup> In 2007, as part of an assignment transaction between CCBL and Newport, Newport sought and received a continuation of the Main Studio Waiver.<sup>4</sup> In that decision, the Commission stated that continuation of the Main Studio Waiver was warranted “given that the public interest would be served by waiver of the main studio rule to permit Newport to continue to co-locate the main studios for stations KSAS-TV, KOCW(TV), and KAAS-TV.”<sup>5</sup>

After its acquisition of the Stations, SBG seeks to maintain the historic operating arrangement of the Newport TV stations in the DMA.<sup>6</sup> SBG respectfully requests authorization,

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<sup>2</sup> *Clear Channel Broadcasting Licenses, Inc.*, 22 FCC Rcd 21196 (2007) (“2007 Order”).

<sup>3</sup> Letter from Barbara A. Kreisman, Chief, Video Servs. Div., Media Bureau, to John M. Burgett (Feb. 12, 1998) (granting waiver of main studio rule for KOCW(TV)). Likewise, despite the absence of Grade B overlap between KAAS-TV and KSAS-TV, the Commission has consistently identified and treated KAAS-TV as a satellite station of KAAS-TV. *See, e.g., Shareholders of AMFM, Inc.*, 15 FCC Rcd. 16062, 16074-75 (2000);

<sup>4</sup> 2007 Order at ¶ 30.

<sup>5</sup> *Id.* at ¶ 28.

<sup>6</sup> Both KAAS-TV and KOCW(TV) have historically operated as satellites of KSAS-TV, the main station. Given that the digital transition has been completed, there is no equivalent contour to the City Grade contour for purposes of the waiver standard. *See, e.g., Selenka Communications, LLC*, 25 FCC Rcd 278 (MB 2010) at ¶ 3. Nevertheless, as shown in the attached exhibit, the three stations’ digital noise-limited contours do not overlap, except in one instance. KSAS-TV’s 41 dBu noise-limited contour slightly overlaps the KAAS-TV’s noise-limited 41dBu contour. The *de minimis* common area within the overlap of the two contours totals approximately 3.5 kilometers wide, and the total population residing within that total area consists of only 233 persons. Therefore the assignment qualifies for the *de minimis* exception to the Commission’s duopoly rule. Thus, to the extent the Bureau deems it necessary, Sinclair respectfully requests a continuation of the satellite status of the stations consistent with Commission precedent. The Commission has consistently identified and treated KSAS-TV as a satellite station of KAAS-TV. *See, e.g., Shareholders of AMFM, Inc.*, 15 FCC Rcd. 16062, 16074-75 (2000); *see also* Letter from Kathleen Kirby to Marlene H. Dortch, Secretary (Sep. 15, 2006) (containing an FCC Form 159-E showing a 2006 regulatory fee payment for KAAS-TV as a satellite).

pursuant to Section 73.1125(d)(2) of the Commission's rules, to utilize station KSAS-TV, Wichita, as the main studio for stations KAAS-TV, Salina, and KOCW(TV), Hoisington.<sup>7</sup>

Grant of a continuation of the Main Studio Waiver would serve the public interest. KAAS-TV and KOCW(TV) are the only full-power television stations licensed to their respective small, outlying, and rural communities, and this historic operating arrangement has permitted prior licensees to provide service to these otherwise underserved communities.

"Good cause" therefore exists, under Section 73.1125 of the Rules, to permit KOCW(TV), Hoisington, Kansas, and KAAS-TV, Salina, Kansas, both of which have long rebroadcast the programming of parent station KSAS-TV, Wichita, Kansas, to the outlying rural areas of the geographically expansive Wichita-Hutchinson DMA, to share the KSAS-TV main studio.

The Commission has previously acknowledged, where, as here, that long-term satellite operation indicates that stand alone operation is likely to be impossible.<sup>8</sup> To the extent that the Commission may deem it required, Sinclair requests approval for the continuation of authorization for the "satellite" operation of stations KOCW(TV) and KAAS-TV so that Sinclair may continue this service to the subject communities.<sup>9</sup>

KAAS-TV and KOCW(TV) provide Fox Television Network programming, along with nationally syndicated and local programming provided by parent station KSAS-TV, to the underserved and geographically widespread Wichita market. As the Commission recognized in

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<sup>7</sup> The Commission long ago granted such a waiver. *See* Letter from Barbara A. Kreisman, Chief, Video Servs. Div., Media Bureau, to John M. Burgett (Feb. 12, 1998) (granting waiver of main studio rule for KOCW(TV)).

<sup>8</sup> *See e.g., Shareholders of Tribune Co. and Sam Zell*, 22 FCC Rcd 21266 (2007) at ¶ 49 (noting that the a station had continuously operated as a satellite since it went on-air in 1988 and that the FCC had approved extensions of the satellite waiver for the station on four previous occasions).

<sup>9</sup> *See, e.g., Mark III Media, Inc.*, 21 FCC Rcd. 6255 (2006) (granting waiver where station was located in an economically depressed area with a small population, where new main studio would be accessible by interstate highway and station committed to maintaining dialogue with residents of service area); *Living Faith Ministries, Inc.*, 21 FCC Rcd. 5046 (2006) (granting waiver where relocation would permit licensee to realize a substantial cost savings, where new main studio would be accessible by interstate highways).

an the *2007 Order*,<sup>10</sup> this satellite operation is permitted since the DMA extends 300 miles east to west and 200 miles north to south, and comprises approximately 70% of the area of Kansas.

Sinclair submits that the public interest would continue to be served by waiver of the main studio rule to permit continued co-located main studios for KSAS-TV, KOCW(TV), and KAAS-TV. Stations KOCW(TV) and KAAS-TV have operated without main studios in their local communities for approximately fifteen years. Not only have the circumstances underlying the original main studio waiver not changed significantly since 1998, and Sinclair therefore respectfully requests that the Bureau grant authorization for Sinclair to continue to operate station KSAS-TV, Wichita, Kansas, as the main studio for station KAAS-TV, Salina, Kansas, and station KOCW(TV), Hoisington, Kansas.

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<sup>10</sup> *2007 Order* at ¶¶ 27-28.

**KSAS-TV-D**

BLCDT20021120AAN

Latitude: 37-46-40 N

Longitude: 097-30-37 W

ERP: 350.00 kW

Channel: 26

Frequency: 545.0 MHz

AMSL Height: 723.0 m

Elevation: 417.0 m

Horiz. Pattern: Directional

Vert. Pattern: Yes

Elec Tilt: 0.9

Prop Model: FCC Model

Loc. Variability: 50.0%

Time Variability: 90.0%

**KAAS-TV-D**

BLCDT20021120AAP

Latitude: 39-06-16 N

Longitude: 097-23-15 W

ERP: 65.00 kW

Channel: 17

Frequency: 491.0 MHz

AMSL Height: 720.0 m

Elevation: 456.0 m

Horiz. Pattern: Directional

Vert. Pattern: Yes

Elec Tilt: 0.55

Prop Model: FCC Model

Loc. Variability: 50.0%

Time Variability: 90.0%

**KOCW-D**

BLCDT20090622AFO

Latitude: 38-37-53 N

Longitude: 098-50-52 W

ERP: 40.00 kW

Channel: 14

Frequency: 473.0 MHz

AMSL Height: 746.0 m

Elevation: 589.0 m

Horiz. Pattern: Omni

Vert. Pattern: Yes

Elec Tilt: 0.65

Prop Model: FCC Model

Loc. Variability: 50.0%

Time Variability: 90.0%

