

## EXHIBIT 5

By this application, Southeast Kansas Broadcasting Company, Inc. (“Southeast Kansas”) proposes to upgrade KSNP(FM), Burlington, Kansas, from Class C3 to C2. KSNP(FM)’s community of license, Burlington, is not located within the geographic boundaries of any Arbitron Metro.<sup>1</sup> As such, as required by the instructions and worksheets to the Form 301, this exhibit demonstrates compliance of the proposed KSNP(FM) facilities with the FCC’s local radio ownership rules under the interim contour-overlap methodology.

Southeast Kansas is the licensee of KSNP(FM), KKOY(AM), Chanute, Kansas, and KKOY-FM, Chanute, Kansas. In addition, Innovative Broadcasting Corporation (formerly Southeast Kansas Acquisition, Inc.), a wholly owned subsidiary of Southeast Kansas, is the licensee of KWXD(FM), Asbury, Missouri and KHST(FM), Lamar, Missouri.

Under the FCC’s interim contour-overlap methodology, Southeast Kansas and parties to the application do not have cognizable interests in any other full-power radio station that has an overlapping contour and, therefore, is located in the same market as the proposed KSNP(FM) facilities. Accordingly, the proposed KSNP(FM) facilities comply with the FCC’s local radio ownership rules under its interim contour-overlap methodology.

DCLIB02:1477354v1

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<sup>1</sup> See BIA Financial Network, *2006 Investing in Radio Market Report database* (2006).