

Exhibit 5 - Multiple Ownership Compliance Showing

Ramar Communications, Inc. (“Ramar”) was the winning bidder in Auction 88 for a new FM station at Idalou, Texas. This exhibit demonstrates that the common ownership of this new FM station and the following stations already licensed to Ramar will comply with both the local radio ownership rule and the radio-television cross ownership rule.

Ramar is the licensee of the following stations relevant to this analysis:

Call Sign	Community of License	Facility ID
KTTU-FM	Brownfield, Texas	61581
KJTV(AM)	Lubbock, Texas	55061
KXTQ-FM	Lubbock, Texas	55062
KLZK(FM)	New Deal, Texas	54684
KJTV-TV	Lubbock, Texas	55031

Compliance with the Local Radio Ownership Rule

The proposed new FM station will be licensed to Idalou, Texas. Idalou is located in Lubbock County. Therefore, for purposes of the local radio ownership rule, the new FM station will be deemed to be a part of the Lubbock, Texas Arbitron Metro.

Attachment A compiled on August 2, 2010 using BIA Research, Inc.’s *Media Access Pro* database. Attachment A lists all radio stations that are licensed to communities within Lubbock County, the county that comprises the Lubbock, Texas Metro, or that Arbitron designates as “home” to that Metro. As demonstrated in Attachment A, there are 27

stations in the Lubbock, Texas Metro, as so defined. Under the local radio ownership rule, a person or single entity (or entities under common control) in a radio market with between 15 and 29 (inclusive) full-power, commercial and noncommercial radio stations may have a cognizable interest in up to 6 commercial radio stations (not more than 4 of which are in the same service (AM or FM)).

As shown in Attachment A , Ramar currently controls 4 radio stations that are either located in or considered home to the Lubbock, Texas Metro (1 AM and 3 FM). The addition of the new FM station at Idalou, Texas, will result in Ramar controlling 5 radio stations (1 AM and 4 FM) within the Lubbock, Texas Metro, which fully complies with the local radio ownership rule.

Brownfield, Texas, the community of license Ramar's KTTU-FM, is located in Terry County, which is not included in any radio Metro market, as defined by Arbitron. However, KTTU-FM is considered "home" to the Lubbock, Texas Metro. Accordingly, a showing of compliance using the interim contour-overlap methodology also is provided at Attachment B. That showing indicates that the contours of 38 radio stations overlap the radio market defined by the overlapping contours of the five radio stations owned by Ramar. A person or single entity (or entities under common control) in a radio market with between 30 and 44 (inclusive) full-power, commercial and noncommercial radio stations may have a cognizable interest in up to 7 commercial radio stations (not more than 4 of which are in the same service (AM or FM)). Ramar's ownership of the 1 AM and 4 FM stations identified herein fully complies with the local radio ownership rule as determined by the interim contour-overlap methodology as well.

Compliance with the Radio-Television Cross Ownership Rule

The common ownership KJTV-TV and the proposed new FM station at Idalou implicate the radio-television cross ownership rule. In its 2002 Biennial Regulatory Review Report and Order, *2002 Biennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, 18 FCC Rcd 13620 (2003), the Commission concluded that the radio-television cross ownership rule no longer served the public interest and repealed the rule. *Id.* at 13768. However, the Third Circuit’s stay of the effective date of the FCC’s multiple ownership rules imposed in 2003 remains in effect as to the repeal of the radio-television cross ownership rule. *See Prometheus Radio Project v. FCC*, 373 F.3d 372, 435 (3d Cir. 2004) (denying motion to lift stay of the radio-television cross-ownership rule). Ramar thus remains subject to the radio-television cross ownership rule.

The radio-television cross ownership rule is triggered when either (i) the Grade A contour of a television station encompasses the community of license of a commonly owned radio station, or (ii) when the 1 mV/m contour of an FM station or the 2 mV/m contour of an AM station encompasses the community of license of a commonly owned television station. Once the radio-television cross ownership rule has been triggered, the number of independently owned and operated television stations in a market is determined on the basis of Grade B contour overlap. However, because digital television stations no longer have analog Grade A or Grade B contours by which to determine compliance with the radio-television cross ownership rule and the FCC has not yet

modified that rule to specify contours that are applicable to DTV service, the Media Bureau has applied a methodology based on the digital noise limited service contour (“NLSC”) to assess compliance. *Application for Transfer of Control of Nassau Broadcasting II, L.L.C.*, 25 FCC Rcd 1851 (2010).

As demonstrated on the contour overlap study included in Attachment B, the NLSC (41 dBu) for KJTV-TV encompasses the entire community of Idalou, Texas, and the 1 mV/m (60 dBu) contour of the new FM at Idalou encompasses all of Lubbock, Texas, the community of license of KJTV-TV.

Although the radio-television cross ownership rule is triggered by contour encompassment, the Commission determines compliance with the rule on an Arbitron Metro basis.

Under the radio-television cross ownership rule, an entity may control up to one commercial television station and seven commercial radio stations in an Arbitron Metro market if at least 20 independently owned and operated media voices would remain in the market post-acquisition. *See* 47 C.F.R. § 73.3555(c)(2)(i) (2002). As the charts provided in Attachment C indicate, there will be at least 20 independently owned and operated media voices in the Lubbock, Texas Metro following the grant of the instant application. Specifically, there will be at least 13 independent radio voices, five independent television voices,¹ one independent newspaper voice and one independent cable system voice. As a result, Ramar’s attributable interest in KJTV-TV, its four existing commercial radio stations (KTTU-FM, KJTV(AM), KXTQ-FM and KLZK(FM)) and the

¹ Attachment B contains a map depicting the NLSC of the television stations in the Lubbock, Texas DMA that overlap the NLSC of KJTV-TV.

proposed new FM station at Idalou, Texas, fully complies with the radio-television cross ownership rule.