

DELAWDER COMMUNICATIONS, INC.

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ENGINEERING REPORT

EXHIBIT E5 –ENGINEERING STATEMENT REGARDING SECTION 73.3555

Section 73.3555(a)(iv) restricts any entity from owning more than 50% of the full-power commercial and *noncommercial* radio stations in a market of 14 or fewer full-power radio stations. The proposed Garwood, TX 247A facility and the authorized KJJB Eagle Lake, TX 237C3 CP facility (BPH-20160926ADV) are the only co-owned stations in the area and are not in an Arbitron Radio Market. (The Applicant does not have any interest in another FM station with 70 dBu F50,50 contour overlap with either of the 70 dBu contours of Garwood 247A or KJJB 237C3, nor does it have any interest in any AM stations that have 5 mV/m contour overlap with these two FM facilities' 70 dBu contours.)

As demonstrated by Figure E5-1, attached, at least three other existing full-powered FM stations (stations of the "denominator" or *non-Applicant-owned* stations of the market ownership test) will have contour overlap with the union of the two Applicant-owned FM facilities' 70 dBu contours. These *non-Applicant-owned* stations are:

KTIM, Ellinger, TX, 206C3 (as licensed);
KNRG, New Elm, TX, 222A (as licensed);
KULM-FM, Columbus, TX, 252A (as licensed).

(It is noted that KNRG has a CP that does not have 70 dBu contour overlap with the union of the two co-owned Garwood and Eagle Lake facilities. However, even if this CP is licensed, there would still be two other non-Applicant-owned FM stations with the necessary contour overlap.)

Therefore, the Applicant will not possess ownership of more than 50% of this "rural" (non-Arbitron) Radio Market in accordance with Section 73.3555(a)(iv).