

## **Exhibit 5**

### **MULTIPLE OWNERSHIP**

This minor change application is consistent with the Commission's local radio multiple ownership rule, 47 C.F.R. §73.3555(a). Victoria Radio Works, Ltd. ("Victoria Radio Works"), the licensee of Station KVIC(FM), Victoria, Texas, is presently under common ownership with KVNN(AM), KEPG(FM) and KNAL(AM), all Victoria, Texas; and KITE(FM), Port Lavaca, Texas. The five Victoria/Port Lavaca stations may be commonly owned because they are in an unrated market. The relevant market determined by the overlap of their signals contains a total of 22 stations. *See* Exhibit 5 to BPH-20040405ACE, granted July 28, 2005. The Commission's rules permit common ownership of up to six stations (no more than four in any service) in such a market. The proposed modification of the facilities of Station KVIC(FM) would not create any new overlap with any other commonly-owned station.<sup>1</sup> Thus, this application is consistent with the multiple ownership rules.

---

<sup>1</sup> The sole owner of Victoria Radio Works, John Barger, also is the sole owner of Pearsall Radio Works, Ltd., licensee of Stations KVWG(AM) and KVWG-FM, Pearsall, Texas, and Hondo Radio Works, Ltd., licensee of Station KMFR(FM), Hondo, Texas. Mr. Barger also controls an entity which holds a time brokerage agreement pursuant to which it provides programming on Station KAHL(AM), San Antonio. None of those stations overlaps the city-grade contours of Station KVIC(FM) or any of the other stations controlled by Mr. Barger.