

DEMONSTRATION OF COMPLIANCE WITH 47 C.F.R. § 73.3555(c)
THE COMMISSION'S "RADIO-TELEVISION CROSS-OWNERSHIP RULE"

By this application, the parties are seeking FCC consent to the voluntary assignment, *inter alia*, of WADB(AM) and WJLK-FM, both licensed to Asbury Park, New Jersey, from Nassau Broadcasting II, L.L.C. to Millennium Shore License Holdco, LLC ("Millennium"). One of the investors in Millennium, Alta/ Millennium Corp., holds an attributable interest in WNJU(TV), Linden, New Jersey. The Grade A contour of WNJU(TV) wholly encompasses Asbury Park. Accordingly, this exhibit is being submitted to demonstrate that common ownership of these three broadcast stations complies with the Commission's radio-television cross-ownership rule, 47 C.F.R. §73.3555(c).

Pursuant to the radio-television cross-ownership rule, a party may own up to two television stations and up to four radio stations in any market where at least 10 independently owned media voices remain after the combination is effected. The proposed common ownership of WNJU(TV), WADB(AM), and WJLK-FM is in accord with this rule. WNJU(TV) is located in the New York, New York DMA and metro market, and WADB(AM) and WJLK-FM are each located in the New York, New York DMA and the Monmouth-Ocean, New Jersey metro market. Because the television station and radio stations are located in different radio metro markets, the voice requirement must be met in each radio metro market. *See* 47 C.F.R. §73.3555(c)(3)(ii)(B). However, since the Monmouth-Ocean metro market is the smaller of the two radio markets (compare Attachments 2 and 3 hereto), the instant analysis considers only the Monmouth-Ocean metro market. Excluding WNJU(TV), WADB(AM), and WJLK-FM, there are at least 22 independent voices in the market (18 additional independent television voices and four additional independent radio voices).¹ *See* Attachments 1 - 2 hereto. Accordingly, as there are more than 10 independent voices in the market, common ownership of one television station and two radio stations in the market is permissible.

¹ Due to the destruction of the World Trade Center, it is possible that some of the New York stations in the market are currently off the air. However, even excluding these stations, there are at least 10 independent voices in the market.