

Exhibit E-9

This exhibit has been included to demonstrate that the proponent is in compliance with the special operating conditions or restrictions imposed by the construction permit. The construction permit as issued by the Commission listed six special operating conditions or restrictions. Each of these will be addressed individually in this exhibit.

The first condition requires the permittee to submit a proof of performance for the directional antenna. Attached to this exhibit is the proof of performance for the antenna from the manufacturer. As this document demonstrates, the measured antenna pattern is in compliance with the Commission's Rules and Regulations as was the procedure utilized to proof the antenna.

It should be noted that the proof of performance specifically refers to BMPH-20050215ABQ. Following the grant of that construction permit, it was learned that the antenna would actually be mounted on a different tower. As a result, a modification application was filed (BMPH-20060111ABK) and subsequently granted.

This application slightly tightened the composite pattern envelope. The RMS of the FCC composite pattern envelope has been reduced from 0.979 to

0.978. As a result, the measured pattern RMS is 85.2% of the authorized envelope. There have been no changes or alterations to the antenna.

The installation of the antenna was surveyed by a licensed land surveyor. A scanned copy of the correspondence from this surveyor is attached to this exhibit. This correspondence established the azimuth at which the antenna is oriented. The survey specifies an orientation of 280 degrees clockwise from true north, which corresponds with the design of the antenna as indicated on the first page of the ERI technical data. This statement demonstrates compliance with the second special condition on the construction permit.

Following the certification from the surveyor is a certification from Mr. Dale L. Harry concerning the installation of the antenna. As this correspondence indicates the antenna was installed properly, and in accordance with the manufacturer's instructions. It is respectfully submitted that the qualifications of Mr. Harry are more than sufficient to provide this statement. This statement demonstrates compliance with the third special condition on the construction permit.

The fourth special condition concerns the directional antenna pattern. The data from ERI contained in this exhibit demonstrate that the relative field value of

1.0 would result in an effective radiated power of 0.41 kW, which is the maximum ERP for the facility.

The fifth special condition is a notification that this authorization is pursuant to Section 73.215 of the Commission's Rules, and that processing by this section was specifically requested by the applicant. It is respectfully submitted that the applicant is not required to take any additional action concerning this condition.

The final special condition requires the applicant in coordination with other users of the site to reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines. The applicant certifies that such measures have been undertaken, and will continue to be undertaken in the future whenever necessary.



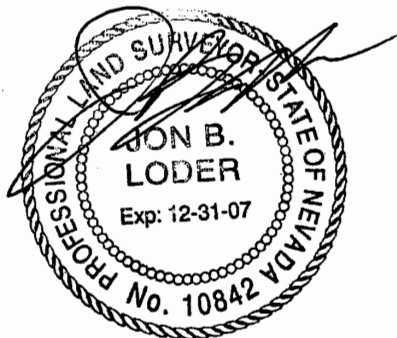
Jerry Evans
KCMY Radio
The Evans Broadcast Co., Inc.
1960 Idaho Street
Carson City, Nevada 89701

Re:
Project No. 16209/1

Dear Jerry,

On January 16, 2006, we checked the direction of the antenna as installed on the Mclellan Peak Tower and found it to be aiming in a direction of 280 degrees azimuth from true North. If you have any questions, please give me a call.

Jon B. Loder, PLS




1/25/06

Sierra Broadcast Service

ENGINEERING STATEMENT

I supervised the installation of an ERI model LP-2E-DA-HW antenna for FM broadcast station KCMY at McClellan Peak near Carson City, Nevada during the week of January 2, 2006. I hereby certify that the antenna was installed per the manufacturer's instructions and the standards of good engineering practice. The antenna was installed by Tower Structures, Inc.

I have considerable experience in the construction, and supervision thereof, of broadcast stations and in the installation of broadcast equipment. My credentials are on record with the Federal Communications Commission.

 Jan. 9, 2006
Dale L. Harry
Technical Director

FCC License PG-12-16225
SBE Certified Professional Broadcast Engineer

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