

## MULTIPLE AND CROSS OWNERSHIP

As a result of the grant of the instant application for the new Philo, Ohio, FM station, the applicant will have common ownership of four radio stations: WHIZ(AM) and WHIZ-FM in the Zanesville market, WCVZ(FM) in the Columbus, Ohio market, and ownership of the new FM station in Philo. Applicant and the parties to the applicant also own WHIZ-TV in the Zanesville market. As shown below, this common ownership complies with 47 C.F.R. 73.3555(a) (Local Ownership Rule) and Section 73.3555(c) (Television/Radio Cross-Ownership Rule).

### Local Radio Ownership Rule

Philo, Ohio is not located in a metro county in any Arbitron rated market. Also, WHIZ (AM) and WHIZ-FM are not licensed to communities within an Arbitron Metro and are not home to an Arbitron Metro. The community of license of WCVZ(FM) is Baltimore, Ohio, which is in the Columbus, Ohio Arbitron Metro. There is no contour overlap between WCVZ(FM) and the proposed Philo station contour. No contour overlap study for WCVZ(FM) is necessary.

Attached is a market analysis prepared by consulting engineer, Jefferson G. Brock which includes a contour overlap study. Exhibit #3 is a tabulation of the stations in the Radio market. It shows that the number of stations falls in the 15 to 29 stations tier of 73.3555(a) (1)(iii) of the rules. The common ownership which will result from the ownership of the new Philo FM station complies with the Commission's Local Radio Ownership Rule.

### Television/Radio Cross-Ownership Rule

The ownership of the stations involved here is permissible provided that there are at least 10 independently owned media voices in the market. The Commission considers broadcast stations, daily newspapers, and cable in determining the number of independently owned media voices in a market. As shown below, the ownership of the proposed new Philo station complies with the rule.

WHIZ-TV is the only TV station in the Zanesville, Ohio DMA which consists of one county, Muskingum County. The relevant contour of WHIZ-TV encompasses the community of license of WHIZ(AM) and WHIZ-FM and the new Philo FM station. The three radio stations are licensed to Muskingum County communities which are outside of all Arbitron Metros. Section 73.3555(c)(3)(ii)(C) of the Rules states that in areas where there is no radio metro market the stations are counted in what would be the "functional equivalent" of a radio market. For assessing compliance here, the "functional equivalent" market is Muskingum County, Ohio or the Zanesville, Ohio DMA.

Attached hereto is a list of the radio stations with reportable shares in Muskingum County, Ohio, based on Arbitron data. It shows that there are 14 independently-owned radio voices in the market, and, in addition, the market is served by the daily newspaper, the Zanesville Times Recorder, and by Time Warner Cable. Thus, the number of independently-owned media voices complies with the Commission's Television/Radio Cross Ownership Rule.