

**Exhibit E-9**

The construction permit as issued by the Commission imposed two special operating conditions or restrictions on the permittee. The applicant would be in compliance with the provisions of the first of these conditions, but respectfully requests that the second condition on the construction permit be removed as it is not applicable for the reasons to be discussed in this exhibit.

The first of these two special conditions requires the applicant to coordinate with other users of the site to ensure that workers having access to the site are not exposed to levels of radiofrequency radiation which would be in excess of applicable safety standards. The applicant certifies that such procedures are in place, and it will reduce power or cease operation as necessary when work is being performed at the facility, in coordination with other licensees, in order to protect workers.

The second condition on the construction permit required the applicant to notify AM station WIRL at Peoria, Illinois of the construction, and perform before and after partial proof of performance measurements on that station to ensure that the construction authorized did not adversely affect their directional patterns. The applicant respectfully requests that this condition be removed from the construction permit as it is not applicable.

The facilities authorized in the construction permit for which this license application is being filed simply requested an increase in the effective radiated power of WCBU from 25.5 kW to 26.5 kW. No changes in the structure on which the WCBU antenna is located have been made. In fact, the increase in effective radiated power of WCBU simply required an increase in the transmitter power output by 1 kW.

The applicant is technically not in compliance with this condition as measurements and notification to WIRL were not made. As a result, item 8 on the form pages has been checked as "no" although the applicant respectfully submits that this condition is unwarranted due to the nature of the changes authorized in the construction permit.