

SECTION II
EXHIBIT 5

Multiple Ownership

Pursuant to the instant application, Sunrise Broadcasting, LLC, the licensee of WAZO(FM), Southport, North Carolina, proposes to modify WAZO(FM)'s technical facility. The Applicant acquired WAZO(FM) pursuant to the Commission's consent to assignment in FCC File No. BALH-20080718AFQ.

In connection with the acquisition of WAZO(FM), the Applicant also acquired the following radio stations: WKXB(FM), Facility Id. No. 59481, Burgaw, NC¹; WILT(FM), Facility Id. No. 74159, Wilmington, NC; WSFM(FM), Facility Id. No. 48626, Oak Island, NC; WLGD(FM), Facility Id. No. 47884, Jacksonville, NC; and WMFD(AM), Facility Id. No. 61701, Wilmington, NC (together, with WAZO(FM), the "Stations" or "Grandfathered Cluster").

As reported by BIA, each of the 6 Stations are located in the Wilmington, NC, Arbitron Metro, and a total of 25 commercial and noncommercial educational full-power radio stations are in the Wilmington Metro.² Pursuant to Section 73.3555 of the Commission's Rules, in a Metro having between 15 and 29 full-power radio stations, a party may own up to 6 commercial radio stations, not more than 4 of which can be in the same service. Because the Grandfathered Cluster includes 5 FM stations and 1 AM station, ownership of 1 of the FM stations is generally not permissible.

However, pursuant to the Commission's new grandfathered combination assignment policy in the 2008 Diversification of Ownership Order (the "Grandfathered Combination Policy"),³ the Commission granted consent to the assignment of the Grandfathered Cluster to the Assignee (the "FCC's Consent") conditioned on the Applicant "filing an application within 12 months after consummation of [the] transition to assign the excess station(s) in [the] grandfathered cluster to an eligible entity or an irrevocable divestiture trust for ultimate assignment to an eligible entity."⁴

¹ An application is being filed contemporaneously with the instant application in which WKXB(FM) proposes a change in community of license and technical modifications.

² See FCC Geographic Market Definition for Wilmington, NC, BIA Financial Network, Inc., printed June 23, 2008.

³ See *Promoting Diversification of Ownership In the Broadcasting Services*, Report and Order and Third Further Notice of Proposed Rule Making, FCC 07-217 (2008), ¶ 61.

⁴ See FCC File Nos. BALH-20080718AFO, BALH-20080718AFP, BALH-20080718AFQ, BALH-20080718AFR, BALH-20080718AFS, and BAL-20080718AFT (each granted on October 1, 2008).

The Applicant herein reaffirms its commitment to divest at least 1 of the FM stations in the Grandfathered Cluster to an “eligible entity” in accordance with the condition to the FCC’s Consent. Accordingly, in connection with the instant application, the Applicant hereby respectfully requests that the Commission continue to recognize the Stations as grandfathered pursuant to the Grandfathered Combination Policy. While it is believed that the instant application complies with the multiple ownership rules pursuant to the Commission’s Grandfathered Combination Policy, out of an abundance of caution, the Applicant hereby requests waiver of the Commission’s Local Radio Ownership Rule to the extent required to reflect the Stations’ continued grandfathered status.⁵

In addition to the foregoing multiple ownership showing with respect to the Commission’s Arbitron Metro Methodology, an Interim Methodology is also required because it is believed that one of the Stations (WLGD(FM)) does not have its community of license located within the Geographic boundaries of any Arbitron Metro. As indicated in the Technical Statement Radio Multiple Ownership Analysis (the “Technical Statement”) submitted in connection with the instant application, WAZO(FM)’s proposed principal community contour overlaps with WLGD(FM)’s principal community contour. As demonstrated in the Technical Statement, the instant application and common ownership of the Grandfathered Cluster complies with the Commission’s Interim Contour Method. As such, the Applicant’s request for continued recognition as grandfathered pursuant to the Grandfathered Combination Policy is only applicable with respect to the Arbitron Metro Methodology.

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⁵ The Applicant also acknowledges that the instant application will not affect in any way the commencement date of the 12-month period specified in the FCC’s Consent.