

KAOX Multiple Ownership Study

Pursuant to the Commission’s Newly Revised ownership rules in Section 73.3555, the following Multiple Ownership Study was conducted to determine if a grant of the instant application for KAOX will comply with the Rules. The KAOX Community of License is Kemmerer, WY. Kemmerer is not included in an Arbitron Rated Market. Also, KAOX is not considered as “home” to a rated Arbitron Market as defined by BIA. Therefore, the modified Contour Overlap Method must be used to evaluate the impact a grant of the Instant Application would have on multiple ownership dynamic in the area.

Radio station KAOX is owned by Simmons-SLC, LS, LLC (“Simmons”). Simmons has a cognizable interest in the following radio stations which overlap KAOX in the Kemmerer area:

<u>Station</u>	<u>Channel/Class/Status</u>	<u>City of License</u>	<u>Overlap with KAOX</u>
KAOX	297C1 Lic, C2 App	Kemmerer, WY	n/a
KMER-AM	950 kHz Lic	Kemmerer, WY ¹	YES
KDWY	287C2 Lic	Diamondville, WY ¹	YES

Of the two nearby stations which share a cognizable interest and overlap with KAOX, all of them share a mutual overlap area with the proposed facilities of the KAOX instant application. The accompanying map illustrates the predicted 5 mV/m groundwave AM contours and the predicted 3.16 mV/m FM contours of these three stations.

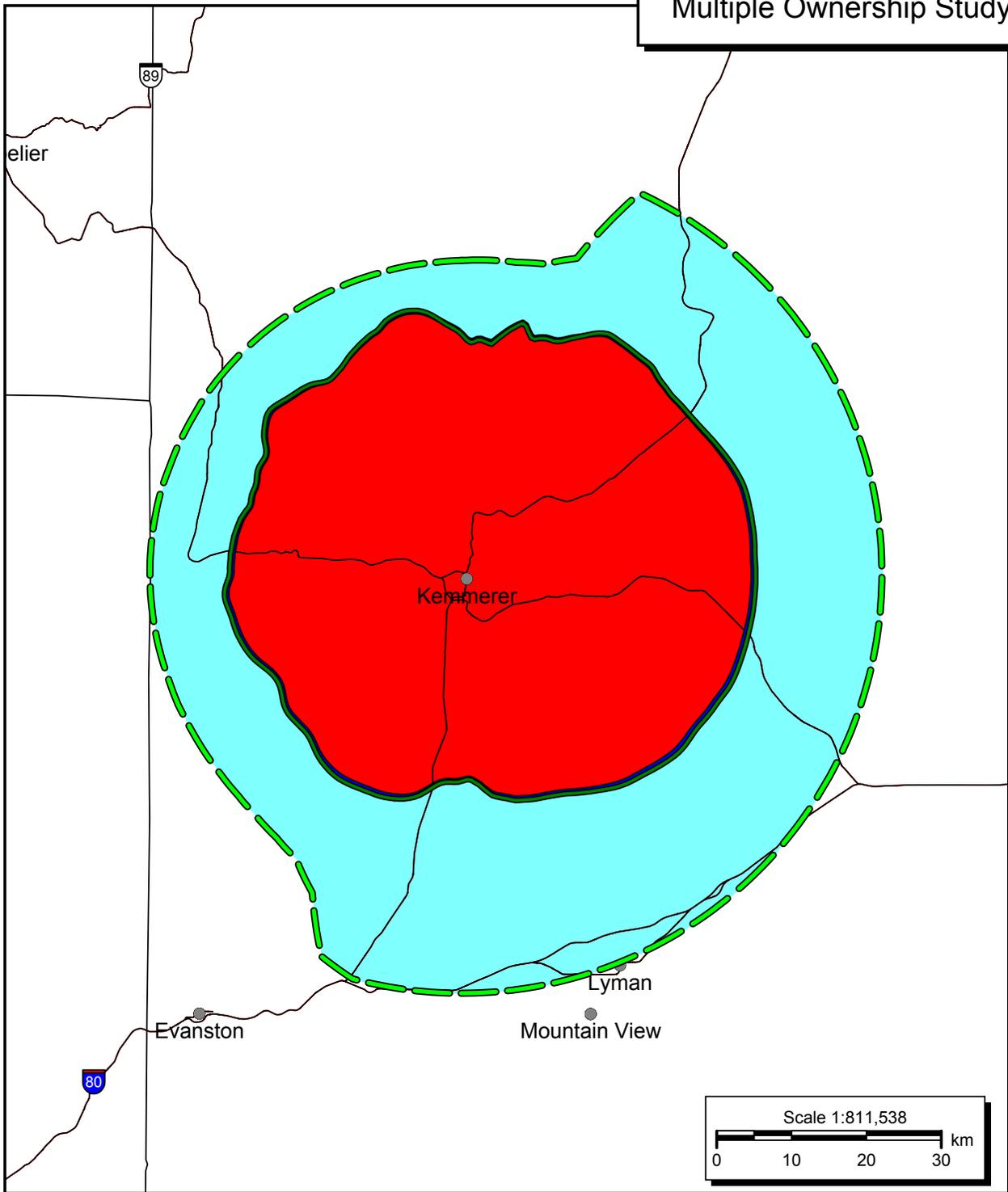
As can be shown on the map, the principals of KAOX have facilities forming 1 “mutual overlap” Radio Market with the following stations under common control.

TABLE 2

	<u>FM Stations</u>	<u>AM Stations</u>
Radio Market #1:	KAOX, KDWY	KMER

¹ Simmons-SLC, LS, LLC, also owns KDWY (FM) and KMER (AM).

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RED = KAOX FM, KDWY FM, KMER AM
BLUE = KMER AM

Radio Market Denominator:

The “numerator” of each Radio Market will be the stations listed in the table. The “denominator” of the radio market will only include those stations listed in Table 3.

The stations listed in Table 3 all meet the following requirements:

- All overlap with KAOX, KDWY, or KDWY
- All have transmitters within 92 kilometers of the Mutual Overlap Area.
- Any stations which are commonly attributable with KAOX FM which do not overlap the mutual overlap area of the radio market being studied were not included in the denominator.
- Commercial and Noncommercial stations have been counted.

With this in mind, the following 8 stations in Table 3 will be included in the “denominator” for the radio market:

TABLE 3

1 KMER.L 414757N 1103244W 950 005.0 KEMMERER WY	(Simmons)
2 KAOX.L 415018N 1103011W 0 0 297C1 100 Kemmerer WY BLH20040324AFJ	(Simmons)
3 KDWY.L 415018N 1103011W 0 0 287C2 16 Diamondville WY BMLH20040322AFI	(Simmons)
4 KDUT.L 405216N 1105943W 115 201 272C 89 Randolph UT BLH20030729AEW	
5 KFRZ.L 412947N 1092044W 103.6 111 221C 100 Green River WY BLH19980921KA	
6 KNYN.L 412110N 1105426W 63.6 212 256C1 27.5 Fort Bridger WY BMLH20030213AAB	
7 KRMF.L 405216N 1105943W 115 201 291C 89 Evanston WY BLH20040324AGC	
8 KYCS.L 412950N 1092036W 103.7 111 236C 100 Rock Springs WY BLH19861015KA	

In a radio market with 14 or fewer commercial and noncommercial radio stations such as the market being studied herein, Section 73.3555 of the Commission’s rules allows a party to have a cognizable interest in up to five (5) commercial radio stations, not more than three (3) of which are in the same service (AM or FM); provided that no party has a cognizable interest in more than 50% of the full-power, commercial and noncommercial radio stations in such market unless the combination of stations comprises not more than one AM and one FM station.

In the case of this Radio Market, the principals for KAOX will have a cognizable interest in not more than three (3) of the nine (9) total stations (or 33.3%) in this radio market. Two (2) stations are in the FM service and one (1) station is in the AM service.

Therefore, the instant application for KAOX appears to comply with Section 73.3555 of the Commission’s Rules with regard to each Radio Market.

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