



PUBLIC NOTICE

Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

News media information 202 / 418-5000
Fax-On-Demand 202 / 418-2830
Internet: <http://www.fcc.gov>
fcp.fcc.gov

DA-10-565

Before the
Federal Communications Commission
Washington, D.C. 20554

PUBLIC NOTICE

Released: March 30, 2010

FEE DECISIONS OF THE MANAGING DIRECTOR AVAILABLE TO THE PUBLIC

The Managing Director is responsible for fee decisions in response to requests for waiver or deferral of fees as well as other pleadings associated with the fee collection process. A public notice of these fee decisions is published in the FCC record.

The decisions are placed in General Docket 86-285 and are available for public inspection. A copy of the decision is also placed in the appropriate docket, if one exists.

The following Managing Director fee decisions are released for public information:

Acme Broadcasting, Inc. Station WQMS (AM)
Request for waiver and refund of FY09 regulatory fee. **Granted** (Jan 06, 2010) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995)]

AM Radio 1400, Inc. Station KENT (AM) -
Request for waiver and refund of FY09 regulatory fee. **Granted** (Jan 06, 2010) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995)]

AM Radio 1440, Inc. Station KPTO (AM)
Request for waiver and refund of FY09 regulatory fee. **Granted** (Jan 06, 2010) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995)]

AM Radio 1470, Inc. Station KNFL (AM)
Request for waiver and refund of FY09 regulatory fee. **Granted** (Jan 06, 2010) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995)]

AM Radio 1490, Inc. Station KOGN (AM)
Request for waiver and refund of FY09 regulatory fee. **Granted** (Jan 06, 2010) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995)]

DTS Broadcasting, Inc. Station WAZX (AM) - Request for waiver and refund of FY09 regulatory fee. **Granted** (Jan 06, 2010) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995)]

James Wilson, III, Station WJJN-LP
Request for waiver and refund of FY09 regulatory fee. **Granted** (Jan 06, 2010) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995)]

Proctor-Williams Inc. Station KSET (AM)

Request for waiver and refund of FY09 regulatory fee.

Granted (Jan 06, 2010) [*See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995)*]

Tugart properties, LLC. Station W228CA (AM)

Request for waiver and refund of FY09 regulatory fee.

Granted (Jan 06, 2010) [*See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995)*]

Roger Mills, K63HJ - Request for waiver and refund of FY09 regulatory fee. **Granted** (Jan 06, 2010) [*See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995)*]

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FILE ✓

JAN 06 2010

OFFICE OF
MANAGING DIRECTOR

Dan J. Alpert
2120 N. 21st Road
Arlington, VA 22201

Re: Acme Broadcasting, Inc.
Station WQMS(AM), Quitman, MS
Fiscal Year 2009 Regulatory Fee Waiver Request
Fee Control No. RROG-09-00012158

Dear Counsel:

This letter is in response to your request filed on September 23, 2009, on behalf of Acme Broadcasting, Inc. ("Acme"), licensee of Station WQMS(AM), Quitman, Mississippi, for waiver and refund of the \$575.00 fiscal year 2009 regulatory fee ("*Waiver Request*"). Our records show that Acme has paid the regulatory fee. For the reasons below, we grant your request.

In support of your request, you state that Station WQMS(AM) "currently is dark."¹ We also note that on August 11, 2009, as a part of your request for special temporary authority to operate the station at reduced power, you reported that Station WQMS "is currently off the air."²

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of broadcast service and therefore will grant "petitions for waivers of the regulatory fees on the grounds of financial hardship from licensees of broadcast stations which are dark (not operating)." *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995). Because Station WQMS(AM) was not operating on the date that the fiscal year 2009 regulatory fees were due (*i.e.*, September 22, 2009), we grant your request for waiver and for refund of the fee.

A check in the amount of \$575.00, made payable to the maker of the original check, will be sent to you on the earliest practicable date. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,


Mark Stephens
Chief Financial Officer

¹ *Waiver Request* at 1 (dated September 21, 2009).

² August 13, 2009 Grant of Special Temporary Authority (to operate at reduced power until February 13, 2010).

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September 21, 2009

Mr. Steven VanRoekel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

RECEIVED - FCC

SEP 23 2009

Federal Communications Commission
Bureau / Office

Re: Station WQMS(AM)
Quitman, MS
Facility No. 54325

Dear Mr. VanRoekel:

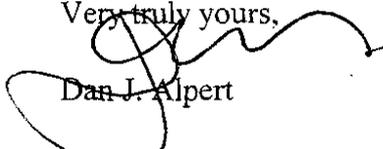
Acme Broadcasting, Inc., by its attorney, hereby requests a waiver and refund of its 2009 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waivers of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

Acme. is licensee of Station WQMS, Quitman, Mississippi. The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$575.00 2009 Annual Regulatory Fee that has been paid is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,


Dan J. Alpert

Counsel for Acme Broadcasting, Inc.

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

RIC

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: charles.miller@fcc.gov

August 13, 2009

Ira Littman, President
Acme Broadcasting, Inc.
2505 Thonotosassa Road, #172
Plant City, Florida 33563

Re: Acme Broadcasting, Inc.
WQMS (AM), Quitman, Mississippi
Facility Identification Number: 54325
Special Temporary Authority

Dear Mr. Littman:

This is in reference to the request filed August 11, 2009, on behalf of Acme Broadcasting, Inc. ("ABI"). ABI requests special temporary authority ("STA") to operate Station WQMS with reduced power.¹ In support of the request, ABI states that Station WQMS currently is off the air and that the station's transmitter is not capable of operating at full, licensed power. ABI requests STA for operation with reduced power until the transmitter can be replaced.

Section 73.1560(d), which governs reduced power operation, states:

In the event it becomes technically impossible to operate at authorized power, a broadcast station may operate at reduced power for a period of not more than 30 days without specific authority from the FCC. If operation at reduced power will exceed 10 consecutive days, notification must be made to the FCC in Washington, DC, Attention: Audio Division (radio) or Video Division (television), Media Bureau, not later than the 10th day of the lower power operation. In the event that normal power is restored within the 30 day period, the licensee must notify the FCC of the date that normal operation was restored. If causes beyond the control of the licensee prevent restoration of the authorized power within 30 days, a request for Special Temporary Authority (see Section 73.1635) must be made to the FCC in Washington, DC for additional time as may be necessary.

Our review indicates that the request complies with Section 73.1560(d).

Accordingly, the request for STA IS HEREBY GRANTED. Station WQMS may operate with reduced power. It will be necessary to further reduce power or cease operation if complaints of interference are received. ABI must notify the Commission when licensed operation is restored.² ABI must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

¹ WQMS is licensed for operation on 1500 kHz with 1 kilowatt, daytime hours only, employing a nondirectional antenna (ND-D-D).

² See 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

This authority expires on **February 13, 2010**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law upon twelve consecutive months of silence. See Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). See also *Public Notice, Expedited Processing of Applications Filed by Silent Stations*, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

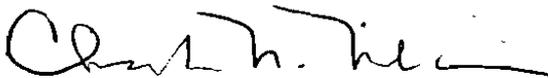
STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Acme Broadcasting, Inc.

FILE

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

JAN 06 2010

OFFICE OF
MANAGING DIRECTOR

Dan J. Alpert
2120 N. 21st Road
Arlington, VA 22201

Re: AM Radio 1400, Inc.
Station KENT(AM), Parowan, UT
Fiscal Year 2009 Regulatory Fee Waiver Request
Fee Control No. RROG-09-00012164

Dear Counsel:

This letter is in response to your request filed on September 23, 2009, on behalf of AM Radio 1400, Inc. ("AM 1400"), licensee of Station KENT(AM), Parowan, Utah, for waiver and refund of the \$750.00 fiscal year 2009 regulatory fee ("*Waiver Request*"). Our records show that AM 1400 has paid the regulatory fee. For the reasons below, we grant your request.

In support of your request, you state that Station KENT "currently is dark."¹ We also note that on July 1, 2009, the Commission granted Station KENT special temporary authority to remain silent, not to exceed January 5, 2010.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of broadcast service and therefore will grant "petitions for waivers of the regulatory fees on the grounds of financial hardship from licensees of broadcast stations which are dark (not operating)." *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995). Because Station KENT was not operating on the date that the fiscal year 2009 regulatory fees were due (*i.e.*, September 22, 2009), we grant your request for waiver and for refund of the fee.

A check in the amount of \$750.00, made payable to the maker of the original check, will be sent to you on the earliest practicable date. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark Stephens
Chief Financial Officer

¹ *Waiver Request* at 1 (dated September 22, 2009).

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September 22, 2009

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SEP 23 2009

Federal Communications Commission
Bureau / Office

Mr. Steven VanRoekel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

**Re: Station KENT(AM)
Parowan, UT
Facility No. 129732**

Dear Mr. VanRoekel:

AM Radio 1400, Inc., by its attorney, hereby requests a waiver and refund of its 2009 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waiver of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

AM Radio 1400, Inc. is licensee of Station KENT(AM). The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$750.00 2009 Annual Regulatory Fee that has been paid is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for AM Radio 1400, Inc.

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FILE

JAN 06 2010

OFFICE OF
MANAGING DIRECTOR

Dan J. Alpert
2120 N. 21st Road
Arlington, VA 22201

Re: AM Radio 1440, Inc.
Station KPTO(AM), Pocatello, ID
Fiscal Year 2009 Regulatory Fee Waiver Request
Fee Control No. RROG-09-00012161

Dear Counsel:

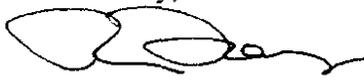
This letter is in response to your request filed on September 23, 2009, on behalf of AM Radio 1440, Inc. ("AM 1440"), licensee of Station KPTO(AM), Pocatello, Idaho, for waiver and refund of the \$1,350.00 fiscal year 2009 regulatory fee ("*Waiver Request*"). Our records show that AM 1440 has paid the regulatory fee. For the reasons below, we grant your request.

In support of your request, you state that Station KPTO "currently is dark."¹ We also note that on September 22, 2009, the Commission's database showed that the station was licensed and silent.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of broadcast service and therefore will grant "petitions for waivers of the regulatory fees on the grounds of financial hardship from licensees of broadcast stations which are dark (not operating)." *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995). Because Station KPTO was not operating on the date that the fiscal year 2009 regulatory fees were due (*i.e.*, September 22, 2009), we grant your request for waiver and for refund of the fee.

A check in the amount of \$1,350.00, made payable to the maker of the original check, will be sent to you on the earliest practicable date. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,


Mark Stephens
Chief Financial Officer

¹ *Waiver Request* at 1 (dated September 22, 2009).

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September 22, 2009

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Mr. Steven VanRoekel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

SEP 23 2009

Federal Communications Commission
Bureau / Office

**Re: Station KPTO(AM)
Pocatello, ID
Facility No. 129638**

Dear Mr. VanRoekel:

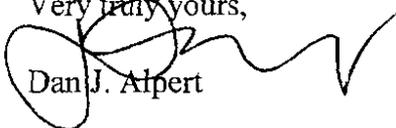
AM Radio 1440, Inc., by its attorney, hereby requests a waiver and refund of its 2009 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waiver of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

AM Radio 1440, Inc. is licensee of Station KPTO(AM). The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$1,350.00 2009 Annual Regulatory Fee that has been paid is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,


Dan J. Alpert

Counsel for AM Radio 1440, Inc.

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FILE

OFFICE OF
MANAGING DIRECTOR

JAN 06 2010

Dan J. Alpert
2120 N. 21st Road
Arlington, VA 22201

Re: AM Radio 1470, Inc.
Station KNFL(AM), Tremonton, UT
Fiscal Year 2009 Regulatory Fee Waiver Request
Fee Control No. RROG-09-00012163

Dear Counsel:

This letter is in response to your request filed on September 23, 2009, on behalf of AM Radio 1470, Inc. ("AM 1470"), licensee of Station KNFL(AM), Tremonton, Utah, for waiver and refund of the \$1,075.00 fiscal year 2009 regulatory fee ("*Waiver Request*"). Our records show that AM 1470 has paid the regulatory fee. For the reasons below, we grant your request.

In support of your request, you state that Station KNFL "currently is dark."¹ We also note that on September 22, 2009, the Commission's database showed that the station was licensed and silent.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of broadcast service and therefore will grant "petitions for waivers of the regulatory fees on the grounds of financial hardship from licensees of broadcast stations which are dark (not operating)." *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995). Because Station KNFL was not operating on the date that the fiscal year 2009 regulatory fees were due (*i.e.*, September 22, 2009), we grant your request for waiver and for refund of the fee.

A check in the amount of \$1,075.00, made payable to the maker of the original check, will be sent to you on the earliest practicable date. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark Stephens
Chief Financial Officer

¹ *Waiver Request* at 1 (dated September 22, 2009).

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The Law Office of

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September 22, 2009

Mr. Steven VanRoekel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

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SEP 23 2009

Federal Communications Commission
Bureau / Office

**Re: Station KNFL(AM)
Tremonton, UT
Facility No. 129784**

Dear Mr. VanRoekel:

AM Radio 1470, Inc., by its attorney, hereby requests a waiver and refund of its 2009 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waiver of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

AM Radio 1470, Inc. is licensee of Station KNFL(AM). The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$1,075.00 2009 Annual Regulatory Fee that has been paid is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for AM Radio 1470, Inc.

FILE

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

JAN 06 2010

OFFICE OF
MANAGING DIRECTOR

Dan J. Alpert
2120 N. 21st Road
Arlington, VA 22201

Re: AM Radio 1490, Inc.
Station KOGN(AM), Ogden, UT
Fiscal Year 2009 Regulatory Fee Waiver Request
Fee Control No. RROG-09-00012162

Dear Counsel:

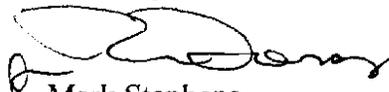
This letter is in response to your request filed on September 23, 2009, on behalf of AM Radio 1490, Inc. ("AM 1490"), licensee of Station KOGN(AM), Ogden, Utah, for waiver and refund of the \$1,500.00 fiscal year 2009 regulatory fee ("*Waiver Request*"). Our records show that AM 1490 has paid the regulatory fee. For the reasons below, we grant your request.

In support of your request, you state that Station KOGN "currently is dark."¹ We also note that on September 22, 2009, the Commission's database showed that the station was licensed and silent.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of broadcast service and therefore will grant "petitions for waivers of the regulatory fees on the grounds of financial hardship from licensees of broadcast stations which are dark (not operating)." *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995). Because Station KOGN was not operating on the date that the fiscal year 2009 regulatory fees were due (*i.e.*, September 22, 2009), we grant your request for waiver and for refund of the fee.

A check in the amount of \$1,500.00, made payable to the maker of the original check, will be sent to you on the earliest practicable date. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,


Mark Stephens
Chief Financial Operations

¹ *Waiver Request* at 1 (dated September 22, 2009).

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The Law Office of

Dan J. Alpert

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September 22, 2009

Mr. Steven VanRoekel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

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SEP 23 2009

Federal Communications Commission
Bureau / Office

**Re: Station KOGN(AM)
Odgen, UT
Facility No. 5175**

Dear Mr. VanRoekel:

AM Radio 1490, Inc., by its attorney, hereby requests a waiver and refund of its 2009 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waiver of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

AM Radio 1440, Inc. is licensee of Station KOGN(AM). The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$1,500.00 2009 Annual Regulatory Fee that has been paid is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for AM Radio 1490, Inc.

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FILE

OFFICE OF
MANAGING DIRECTOR

JAN 06 2010

Dan J. Alpert
2120 N. 21st Road
Arlington, VA 22201

Re: DTS Broadcasting, Inc.
Station WAZX(AM), Smyrna, GA
Fiscal Year 2009 Regulatory Fee Waiver Request
Fee Control No. RROG-09-00012166

Dear Counsel:

This letter is in response to your request filed on September 23, 2009, on behalf of DTS Broadcasting, Inc. ("DTS"), licensee of Station WAZX(AM), Smyrna, Georgia, for waiver and refund of the \$3,500.00 fiscal year 2009 regulatory fee ("*Waiver Request*"). Our records show that DTS has paid the regulatory fee. For the reasons below, we grant your request.

In support of your request, you state that Station WAZX "currently is dark."¹ We also note that on September 17, 2009, the Commission granted Station WAZX special temporary authority to remain silent, not to exceed 180 days from the grant date.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of broadcast service and therefore will grant "petitions for waivers of the regulatory fees on the grounds of financial hardship from licensees of broadcast stations which are dark (not operating)." *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995). Because Station WAZX was not operating on the date that the fiscal year 2009 regulatory fees were due (*i.e.*, September 22, 2009), we grant your request for waiver and for refund of the fee.

A check in the amount of \$3,500.00, made payable to the maker of the original check, will be sent to you on the earliest practicable date. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark Stephens
Chief Financial Officer

¹ *Waiver Request* at 1 (dated September 21, 2009).

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The Law Office of

Dan J. Alpert

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September 21, 2009

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SEP 23 2009

Federal Communications Commission
Bureau / Office

Mr. Steven VanRoekel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

**Re: Station WAZX(AM)
Smyrna, GA
Facility No. 22983**

Dear Mr. VanRoekel:

DTS Broadcasting, Inc., by its attorney, hereby requests a waiver and refund of its 2009 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waiver of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

DTS Broadcasting, Inc. is licensee of Station WAZX(AM), Smyrna, Georgia. The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$3,500.00 2009 Annual Regulatory Fee that has been paid is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for DTS Broadcasting, Inc.

FILE

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

JAN 06 2010

OFFICE OF
MANAGING DIRECTOR

Dan J. Alpert
2120 N. 21st Road
Arlington, VA 22201

Re: James Wilson, III
Station WJJN-LP, Dothan, AL
Fiscal Year 2009 Regulatory Fee Waiver Request
Fee Control No. RROG-09-00012092

Dear Counsel:

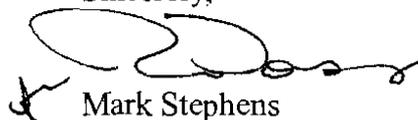
This letter is in response to your request filed on September 21, 2009, on behalf of James Wilson, III ("Wilson"), licensee of Station WJJN-LP, Dothan, Alabama, for waiver and refund of the \$400.00 fiscal year 2009 regulatory fee ("*Waiver Request*"). Our records show that Wilson has paid the regulatory fee. For the reasons below, we grant your request.

In support of your request, you state that Station WJJN-LP "currently is dark."¹ We also note that on April 1, 2009, the Commission granted Station WJJN-LP special temporary authority to remain silent from March 25, 2009 to September 25, 2009.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of broadcast service and therefore will grant "petitions for waivers of the regulatory fees on the grounds of financial hardship from licensees of broadcast stations which are dark (not operating)." *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995). Because Station WJJN-LP was not operating on the date that the fiscal year 2009 regulatory fees were due (*i.e.*, September 22, 2009), we grant your request for waiver and for refund of the fee.

A check in the amount of \$400.00, made payable to the maker of the original check, will be sent to you on the earliest practicable date. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,


Mark Stephens
Chief Financial Officer

¹ *Waiver Request* at 1 (dated September 22, 2009).

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SEP 21 2009

Federal Communications Commission
Bureau / Office

The Law Office of

Dan J. Alpert

2120 N. 21st Rd.
Arlington, VA 22201
DJA@CUMMLAW.TV

(703) 243-8690

(703) 243-8692 (FAX)

September 22, 2009

Mr. Steven VanRoekel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

Re: **Station WJIN-LP**
Dothan, AL
Facility No. 30282

Dear Mr. VanRoekel:

James Wilson, III, by its attorney, hereby requests a waiver and refund of its 2009 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waiver of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

James Wilson, III is licensee of Station WJIN-LP, Dothan, Alabama. The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$400.00 2009 Annual Regulatory Fee that has been paid is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for James Wilson, III

FILE

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

JAN 06 2010

OFFICE OF
MANAGING DIRECTOR

Dan J. Alpert
2120 N. 21st Road
Arlington, VA 22201

Re: James Wilson, III
Station WJJN-LP, Dothan, AL
Fiscal Year 2009 Regulatory Fee Waiver Request
Fee Control No. RROG-09-00012092

Dear Counsel:

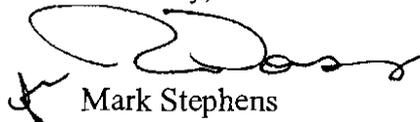
This letter is in response to your request filed on September 21, 2009, on behalf of James Wilson, III ("Wilson"), licensee of Station WJJN-LP, Dothan, Alabama, for waiver and refund of the \$400.00 fiscal year 2009 regulatory fee ("*Waiver Request*"). Our records show that Wilson has paid the regulatory fee. For the reasons below, we grant your request.

In support of your request, you state that Station WJJN-LP "currently is dark."¹ We also note that on April 1, 2009, the Commission granted Station WJJN-LP special temporary authority to remain silent from March 25, 2009 to September 25, 2009.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of broadcast service and therefore will grant "petitions for waivers of the regulatory fees on the grounds of financial hardship from licensees of broadcast stations which are dark (not operating)." *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995). Because Station WJJN-LP was not operating on the date that the fiscal year 2009 regulatory fees were due (*i.e.*, September 22, 2009), we grant your request for waiver and for refund of the fee.

A check in the amount of \$400.00, made payable to the maker of the original check, will be sent to you on the earliest practicable date. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,


Mark Stephens
Chief Financial Officer

¹ *Waiver Request* at 1 (dated September 22, 2009).

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SEP 21 2009

Federal Communications Commission
Bureau / Office

The Law Office of
Dan J. Alpert
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(703) 243-8692 (FAX)

September 22, 2009

Mr. Steven VanRoekel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

Re: **Station WJIN-LP**
Dothan, AL
Facility No. 30282

Dear Mr. VanRoekel:

James Wilson, III, by its attorney, hereby requests a waiver and refund of its 2009 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waiver of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

James Wilson, III is licensee of Station WJIN-LP, Dothan, Alabama. The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$400.00 2009 Annual Regulatory Fee that has been paid is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for James Wilson, III

FILE

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

JAN 06 2010

OFFICE OF
MANAGING DIRECTOR

Dan J. Alpert
2120 N. 21st Road
Arlington, VA 22201

Re: Proctor-Williams, Inc
Station KSET(AM), Silsbee, TX.
Fiscal Year 2009 Regulatory Fee Waiver Request
Fee Control No. RROG-09-00012086

Dear Counsel:

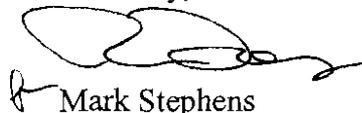
This letter is in response to your request filed on September 21, 2009, on behalf of Proctor-Williams, Inc. ("Proctor-Williams"), licensee of Station KSET(AM), Silsbee, Texas, for waiver and refund of the \$875.00 fiscal year 2009 regulatory fee ("*Waiver Request*"). Our records show that Proctor-Williams has paid the regulatory fee. For the reasons below, we grant your request.

In support of your request, you state that Station KSET "currently is dark."¹ We also note that on July 24, 2009, the Commission granted Station KSET special temporary authority to remain silent, not to exceed February 17, 2010.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of broadcast service and therefore will grant "petitions for waivers of the regulatory fees on the grounds of financial hardship from licensees of broadcast stations which are dark (not operating)." *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995). Because Station KSET was not operating on the date that the fiscal year 2009 regulatory fees were due (*i.e.*, September 22, 2009), we grant your request for waiver and for refund of the fee.

A check in the amount of \$875.00, made payable to the maker of the original check, will be sent to you on the earliest practicable date. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,


Mark Stephens
Chief Financial Officer

¹ *Waiver Request* at 1 (dated September 18, 2009).

SEP 21 2009

The Law Office of
Dan J. Alpert

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Arlington, VA 22201
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Federal Communications Commission
Bureau / Office

(703) 243-8690

(703) 243-8692 (FAX)

September 18, 2009

Mr. Steven VanRoekel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

~~0909139084899145~~
0909139084899145

**Re: Station KSET(AM)
Silsbee, TX
Facility No. 31108**

Dear Mr. VanRoekel:

Proctor-Williams, Inc., by its attorney, hereby requests a waiver and refund of its 2009 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waiver of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

Proctor-Williams, Inc. is licensee of Station KSET(AM), Silsbee, Texas. The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$875.00 2009 Annual Regulatory Fee that has been paid is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for Proctor-Williams, Inc.

FILE

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

JAN 06 2010

OFFICE OF
MANAGING DIRECTOR

Dan J. Alpert
2120 N. 21st Road
Arlington, VA 22201

Re: Roger Mills
Station K63HJ, Laughlin, Nevada
Fiscal Year 2009 Regulatory Fee Waiver Request
Fee Control No. RROG-09-00012159

Dear Counsel:

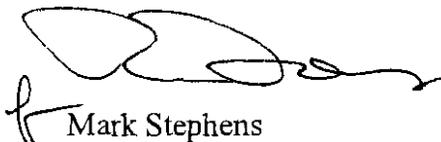
This letter is in response to your request filed on September 23, 2009, on behalf of Roger Mills ("Mills"), licensee of Station K63HJ, Laughlin, Nevada, for waiver and refund of the \$400.00 fiscal year 2009 regulatory fee ("*Waiver Request*"). Our records show that Mills has paid the regulatory fee. For the reasons below, we grant your request.

In support of your request, you state that Station K63HJ "currently is dark."¹ We also note that on September 23, 2009, the Commission granted to Station K63HJ an extension of special temporary authority to remain silent until March 20, 2010.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of broadcast service and therefore will grant "petitions for waivers of the regulatory fees on the grounds of financial hardship from licensees of broadcast stations which are dark (not operating)." *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995). Because Station K63HJ was not operating on the date that the fiscal year 2009 regulatory fees were due (*i.e.*, September 22, 2009), we grant your request for waiver and for refund of the fee.

A check in the amount of \$400.00, made payable to the maker of the original check, will be sent to you on the earliest practicable date. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,


Mark Stephens
Chief Financial Officer

¹ *Waiver Request* at 1 (dated September 22, 2009).

0909229074882813

12159

The Law Office of

Dan J. Alpert

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(703) 243-8692 (FAX)

September 22, 2009

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SEP 23 2009

Federal Communications Commission
Bureau / Office

Mr. Steven VanRoekel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

**Re: 2009 Annual Regulatory Fee
Station K63HJ
Facility No. 129231**

Dear Mr. VanRoekel:

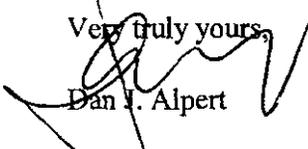
Roger Mills, by its attorney, by its attorney, hereby requests a waiver and refund of its 2009 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waiver of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

Roger Mills is licensee of Station K63HJ. The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$400.00 2009 Annual Regulatory Fee that has been paid is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,


Dan J. Alpert

Counsel for Roger Mills

FILE

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

JAN 06 2010

OFFICE OF
MANAGING DIRECTOR

Dan J. Alpert
2120 N. 21st Road
Arlington, VA 22201

Re: Tugart Properties, LLC
Station W228CA, Elberton, GA
Fiscal Year 2009 Regulatory Fee Waiver Request
Fee Control No. RROG-09-00012098

Dear Counsel:

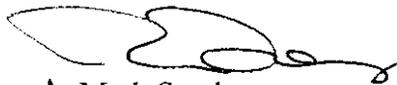
This letter is in response to your request filed on September 21, 2009, on behalf of Tugart Properties, LLC ("Tugart"), licensee of Station W228CA, Elberton, Georgia, for waiver and refund of the \$400.00 fiscal year 2009 regulatory fee ("*Waiver Request*"). Our records show that Tugart has paid the regulatory fee. For the reasons below, we grant your request.

In support of your request, you state that Station W228CA "currently is dark."¹ We also note that the Commission's database currently shows that the station is licensed and silent.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of broadcast service and therefore will grant "petitions for waivers of the regulatory fees on the grounds of financial hardship from licensees of broadcast stations which are dark (not operating)." *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995). Because Station W228CA was not operating on the date that the fiscal year 2009 regulatory fees were due (*i.e.*, September 22, 2009), we grant your request for waiver and for refund of the fee.

A check in the amount of \$400.00, made payable to the maker of the original check, will be sent to you on the earliest practicable date. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark Stephens
Chief Financial Officer

¹ *Waiver Request* at 1 (dated September 18, 2009).

090922-9084 882813

The Law Office of

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Arlington, VA 22201
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(703) 243-8690

(703) 243-8692 (FAX)

September 18, 2009

Mr. Steven VanRoekel
Managing Director
Federal Communications Commission
445 12th St. S.W.
Washington, DC 20554

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SEP 21 2009

Federal Communications Commission
Bureau / Office

Re: **Station W228CA**
Facility No. 138393

Dear Mr. VanRoekel:

Tugart Properties, LLC, by its attorney, hereby requests a waiver and refund of its 2009 Annual Regulatory Fee. In support thereof, the following is stated.

In the Memorandum Opinion and Order issued with respect to Implementation of Section 9 of the Communications Act, FCC 95-257 (June 22, 1995), the FCC recognized that waiver of the annual Regulatory Fee was appropriate in certain instances, and specifically determined that it would grant waivers to licensees of broadcast stations which are dark (not operating). The Commission recognized that an imposition of regulatory fees could be an impediment to the restoration of broadcast service, and that such it would be unnecessary for such stations to make any further showing to warrant grant of a waiver. Id. at ¶ 15.

Tugart Properties, LLC is licensee of Station W228CA. The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$400.00 2009 Annual Regulatory Fee that has been paid is appropriate.

WHEREFORE, it respectfully is requested that this request be granted.

Very truly yours,

Dan J. Alpert

Counsel for Tugart Properties, LLC