

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

FILE

MAR 18 2011

OFFICE OF  
MANAGING DIRECTOR

Robert J. Rini, Esq.  
Rini Coran, PC  
1140 19<sup>th</sup> Street, N.W., Suite 600  
Washington, DC 20036

Re: SATV10, LLC Debtor-in-Possession  
FY 2010 Regulatory Fee Waiver Request  
Filed 8-31-10  
Fee Control No. RROG-10-00013064  
Regulatory Fee Amount: \$ 18,900.00

Dear Mr. Rini:

This letter responds to the above-referenced request for waiver of regulatory fees filed on the grounds of financial hardship ("Regulatory Fees"). Our records reflect that the Regulatory Fees at issue have not been paid. For the reasons stated herein, your waiver request is granted.

The Commission has determined that it will waive regulatory fees for licensees who are bankrupt or are in receivership at the time the fees are due.<sup>1</sup> Based on the evidence in the record that the listed licensees were in bankruptcy or in receivership on the date the Regulatory Fees were due, we hereby grant the requested waivers.

If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark Stephens  
Chief Financial Officer

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<sup>1</sup> See *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995).



**RINI CORAN, PC**  
 Telecom | Media | Technology  
 Law and Policy

RRG-10-00013064

**Robert J. Rini**  
 Rini Coran, PC  
 Direct Dial: 202.463.4301  
 E-mail: rini@rinicoran.com

ORIGINAL

August 31, 2010

**VIA HAND DELIVERY**

RECEIVED - FCC

Federal Communications Commission  
 Office of the Managing Director  
 445 12<sup>th</sup> Street, S.W. Room 1-A625  
 Washington, D.C. 20554  
 Attn: Regulatory Fee Waiver/Reduction Request

AUG 31 2010

Federal Communications Commission  
 Bureau / Office

**Re: SATV10, LLC Debtor in Possession (FRN:0014562839)  
 Station KYVV(TV) (Facility ID: 55762) (formerly KTRG-TV)  
 Request for Waiver or Deferment of FY2010 Regulatory Fees**

Dear Sir/Madam:

Transmitted herewith on behalf of SATV10 Debtor in Possession, LLC ("SATV10"), licensee of the above-referenced stations, are an original and four (4) copies of its Request for Waiver or Deferment of FY2010 Regulatory Fees ("Waiver Request") for the above-referenced station.

Please communicate directly with the undersigned counsel should there be any questions or need for additional information in this matter.

Respectfully submitted,

Robert J. Rini

Enclosures

1140 19th Street, N.W. | Suite 600 | Washington, DC 20036  
 Voice: 202.296.2007 | Fax: 202.296.2014  
 www.rinicoran.com | www.telecommunicationslaw.com

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554**

In the Matter of )  
)  
SATV10, LLC, Debtor In Possession )  
FRN: 0014562839 ) FCC File No.: \_\_\_\_\_  
)  
Licensee of Station: KYVV-TV )  
(formerly KTRG(TV)) )  
Channel: 28 (Digital) )  
Del Rio, TX )  
Facility ID: 55762 )

To: Office of the Secretary  
Attention: Office of the Managing Director

**REQUEST FOR WAIVER OR DEFERMENT OF FY2010 REGULATORY FEES**

SATV10, LLC, Debtor In Possession (“SATV10”), licensee of Station KYVV-TV at Del Rio, TX, by counsel and pursuant to Section 1.1166 of the Commission’s rules, requests waiver of its regulatory fees for Fiscal Year 2010 in the amount of \$18,900.00.<sup>1</sup> The Commission’s Rules permit entities to request a waiver, reduction or deferment of payment of the regulatory fee and provide for relief where good cause is shown and the public interest will be served.<sup>2</sup> Additionally, the Commission has determined that it will waive regulatory fees for licensees who are bankrupt or are in receivership at the time that regulatory fees are due.<sup>3</sup> SATV10 also requests, to the extent necessary, deferment of payment of the regulatory fees for Fiscal Year 2010 due to financial hardship.

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<sup>1</sup> The associated call signs appear at Attachment A.

<sup>2</sup> 47 C.F.R. § 1.1166.

<sup>3</sup> *Implementation of Section 9 of the Communications Act Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year*, 10 FCC Rcd 12759, 12762 (1995).

On January 30, 2009, SATV10, a Delaware limited liability company, filed a voluntary petition for reorganization with the United States Bankruptcy Court, Southern District of New York under Chapter 11, pursuant to 11 U.S.C. § 301 (Case No.: 09-10436-smb.) Exhibit 1 contains copies of the Voluntary Petition for Bankruptcy as filed by SATV10 and of the Notice of Bankruptcy Case Filing as issued by the Bankruptcy Court.

On March 6, 2009, SATV10 filed an application for assignment of license for KYVV-TV from SATV10, LLC to SATV10, LLC Debtor in Possession (FCC File No. BALCT-20090306ACC, granted March 12, 2009.) Exhibit 2 contains a copy of the FCC consent to the above-referenced application for transfer of control.

SATV10 remains under the protection of Chapter 11 of the U.S. Bankruptcy Code. Exhibit 3 contains a copy of the Docket sheet for the bankruptcy case, dated August 31, 2010, as demonstration that the licensee remains under bankruptcy court protection. Under Commission precedent, SATV10 is not required to submit regulatory fees for Fiscal Year 2010 and therefore requests acknowledgment of this fact by grant of this waiver request. SATV10 also requests deferment of the regulatory fees for Fiscal Year 2010, to the extent such deferment is necessary. The purpose of requesting such a deferment is to avoid the imposition of any payment penalties for failure to timely pay the regulatory fees. Given the likelihood of success of this petition, combined with the financial hardship that imposition of the regulatory fees would impose, the public interest would be served by granting the deferment request at this time.

Please contact the undersigned counsel should you need any further documentation, or if you have any questions regarding this request.

Respectfully submitted,

**SATV10, LLC DEBTOR IN POSSESSION**

A handwritten signature in black ink, appearing to read "Robert J. Rini", is written over a horizontal line.

Robert J. Rini

Jonathan E. Allen

Rini Coran, PC

1140 19<sup>TH</sup> Street, NW Suite 600

Washington, DC 20036

202.296.2007

*Its Counsel*

August 31, 2010

## FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

MAR 18 2011

OFFICE OF  
MANAGING DIRECTOR

Diane Balk  
Financial Accountant  
SDN Communications/Express Communications  
2900 West 10<sup>th</sup> Street  
Sioux Falls, SD 57104

Re: SDN Communications  
FY 2010 Regulatory Fee Penalty Waiver Request  
Filed 9-9-10  
Fee Control No. RROG-10-0013226  
Regulatory Fee Amount: \$ 5,863.99  
Late Penalty Amount: \$ 1,466.01  
Date Regulatory Fee Paid: 9-9-10  
Date Late Penalty Paid: 9-9-10

Dear Ms. Balk:

This letter responds to the above-referenced request for waiver of the penalty for late payment of FY 2010 regulatory fees. For the reasons stated herein, your waiver request is denied.

Section 9(a)(1) of the Communications Act states that the Commission “shall assess and collect regulatory fees” to recover the costs of its regulatory activities.<sup>1</sup> Section 9(c)(1) provides that “[t]he Commission shall prescribe by regulation an additional charge which shall be assessed as a penalty for late payment of fees required” by Section 9(a) and that “[s]uch penalty shall be 25 percent of the amount of the fee which was not paid in a timely manner.”<sup>2</sup> The Commission’s regulations provide that “[a]ny late payment or insufficient payment of a regulatory fee, not excused by bank error, shall subject the regulatee to a 25 percent penalty of the amount of the fee . . . which was not paid in a timely manner.”<sup>3</sup> For FY 2010, the deadline for paying regulatory fees was August 31, 2010.<sup>4</sup>

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<sup>1</sup> 47 U.S.C. §159(a)(1).

<sup>2</sup> 47 U.S.C. §159(c)(1).

<sup>3</sup> 47 C.F.R. §1.1164.

<sup>4</sup> *Public Notice, FY 2010 Regulatory Fees Due No Later Than August 31, 2010, Eastern Time (ET)*, DA 10-1451, 2010 WL 3133517 (Aug. 9, 2010) (*FY 2010 Filing Deadline Public Notice*).

You paid your regulatory fees after the August 31, 2010, deadline for filing regulatory fees, and therefore failed to meet this obligation. The Commission has repeatedly held that “[l]icensees are expected to know and comply with the Commission’s rules and regulations and will not be excused for violations thereof, absent clear mitigating circumstances.”<sup>5</sup> The assertion in your request, that the deadline was earlier than in previous years and/or that the notice period was shorter or sooner than expected does not constitute circumstances sufficient to mitigate your obligation to pay the FY 2010 regulatory fees by the announced deadline of August 31, 2010.

In *Assessment and Collection of Regulatory Fees for Fiscal Year 2010*, 25 FCC Rcd 9278, 9279 (2010) (*2010 Report and Order*), which was adopted on July 8, 2010, and released on July 9, 2010, the Commission stated that “[c]onsistent with our established practice, we intend to collect these [FY 2010] regulatory fees during an August 2010 filing window.” On August 9, 2010, the Commission announced the August 31, 2010, due date for filing the FY 2010 regulatory fees.<sup>6</sup> Given that the Commission announced an August 2010 filing window on July 9, 2010, and adopted the August 31, 2010, due date on August 9, 2010, we find that you had ample notice of the filing deadline to ensure compliance with their FY 2010 regulatory fee payment obligations.

Confusion regarding the deadline for payment or concerning the use of the Fee Filer system does not provide sufficient grounds for a waiver of the regulatory fees rules, particularly given the Commission’s announcement regarding the August 2010 filing window and access to instructions for Fee Filer access in the *2010 Report and Order*.<sup>7</sup> Moreover, history of timely payment of the regulatory fee does not provide sufficient grounds to support a waiver of the late payment penalties.<sup>8</sup> Further, any assertion that payment was “only a little late” does not rise to the showing required for a waiver; although the Commission has waived late fees on a showing of good cause, neither the statute nor the Commission’s regulations contemplates a waiver of or reduction in the late payment penalty based on the amount of time after the deadline within which the regulatee satisfies its payment obligations.<sup>9</sup> Finally, Section 9(c)(1) does not limit the late payment penalty to regulatees whose failure to pay was knowing or willful. In short, the Commission has waived the Section 9(c)(1) penalty “only in the most extraordinary circumstances”<sup>10</sup> and we find no such extraordinary circumstances here. Your request for waiver or reduction of the penalties for late payment of the FY 2010 regulatory fees is denied.

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<sup>5</sup> See *Sitka Broadcasting Co., Inc.*, 70 FCC 2d 2375, 2378 (1979), citing *Lowndes County Broadcasting Co.*, 23 FCC 2d 91 (1970) and *Emporium Broadcasting Co.*, 23 FCC 2d 868 (1970); see also *NextGen Telephone* (OMD, Apr. 22, 2010); *Istel, Inc.* (OMD, Apr. 22, 2010).

<sup>6</sup> See *FY 2010 Filing Deadline Public Notice*.

<sup>7</sup> See *2010 Report and Order* at 9291 (advising regulatees to “check[] the Commission’s website periodically beginning in July, . . . to ascertain the fee due date, and receive instructions on how to access Fee Filer, view their bill, and make a fee payment”).

<sup>8</sup> See *TWC Digital Phone, LLC* (OMD, Sept. 28, 2009); *Big River Telephone Company* (OMD, July 21, 2009).

<sup>9</sup> See *XO Communications, LLC* (OMD, Nov. 10, 2010).

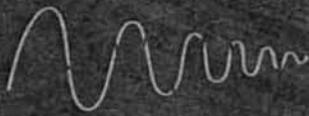
<sup>10</sup> *McLeodUSA Telecommunications Services, Inc., Memorandum Opinion and Order*, 19 FCC Rcd 6587, 6589 (2004) (denying the request for waiver of 25 percent penalty).

If you have any questions concerning this matter, please call the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Stephens", written over a horizontal line.

Mark Stephens  
Chief Financial Officer



# SDN COMMUNICATIONS

September 9, 2010

Federal Communications Commission  
Office of the Managing Director  
Attn: Regulatory Fee Waiver/Reduction Request  
445 12th Street, S.W., Room 1-A625  
Washington, D.C. 20554

Re: Penalty for Late Filing of FCC Form 159-W  
South Dakota Network, LLC  
Filer ID 811404

Dear Managing Director:

Attached is a copy of FCC Form 159-W for the above referenced entity. I filed and paid this report online today and was shocked to find that we were being charged a Penalty:

Filer 499 ID 811404 Bill #10RE008595 Paid on 9/9/10 \$5864 + \$1466 Penalty = \$7330

I have since discovered that the Public Notice to change the due date of this annual report to August 31<sup>st</sup> was not published until August 9, 2010.

It appears that the 25% penalty is assessed regardless of the number of days a payment is late. It is not a common practice that we are late in paying our bills, and would have to attribute this to the late publication of the notice. Is it possible that the penalty could either be refunded in full based on the late notice date, or recalculated based on the number of days the payment was late? For example, based on 9 days, the penalty for South Dakota Network, LLC would then be \$36.15 ( $\$5864 * 25\% * 9 \text{ days} / 365 \text{ days} = \$36.15$  Penalty).

We appreciate your consideration in the matter, and look forward to your decision.

Sincerely,

**Diane Balk**  
Financial Accountant

**SDN Communications /  
Express Communications**

**2900 West 10th Street  
Sioux Falls, SD 57104  
Phone 605.978.3535  
Fax 605.334.4782  
[diane.balk@sdncommunications.com](mailto:diane.balk@sdncommunications.com)**

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

MAR 16 2011

OFFICE OF  
MANAGING DIRECTOR

Rhonda Cruickshanks, General Manager  
SportsRadio 1410 WPCC  
Post Office Box 1455  
Clinton, S.C. 29325

Re: Station WPCC-AM  
FY 2009 Regulatory Fees  
Fee Control No. 0909259084600001

Dear Ms. Cruickshanks:

This is in response to your request dated October 23, 2009 (*Request*), on behalf of Station WPCC-AM, for waiver of the penalty for late payment of the Fiscal Year (FY) 2009 regulatory fee. Our records reflect that you have paid the \$885.00 regulatory fees at issue here, but not the \$221.25 penalty. For the reasons stated herein, we grant your request.

You state that although the regulatory fee payment at issue here was sent through the United States Postal Service for a guaranteed delivery by noon on September 22, 2009, it arrived on September 23, 2009.<sup>1</sup> You say that with the current "tough times," the \$221.25 penalty is a lot of money for Station WPCC-AM.<sup>2</sup>

The Communications Act of 1934, as amended, requires the Commission to assess a penalty of 25 percent on any regulatory fee not paid in a timely manner.<sup>3</sup> It is the obligation of the licensees responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year.<sup>4</sup> You paid the regulatory fee for Station WPCC-AM on September 23, 2009, after the September 22, 2009, deadline for filing regulatory fees, and therefore failed to meet this obligation.

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<sup>1</sup> *Request* at 1.

<sup>2</sup> *Id.*

<sup>3</sup> 47 U.S.C. §159(c)(1).

<sup>4</sup> See 47 C.F.R. §1.1164, and see *Public Notice, Payment Methods and Procedures for FY 2009*, 24 FCC Rcd 11513, 11513 (Sept. 2, 2009) (*September 2009 Public Notice*), *Public Notice, FY 2009 Regulatory Fees Due No Later Than September 22, 2009, Eastern Time (ET)*, 24 FCC Rcd 10890, 10890 (Aug. 21, 2009), and *Public Notice, Fee Filer Mandatory for FY 2009 Regulatory Fees*, 24 FCC Rcd 10893, 10893 (Aug. 21, 2009) (stating that FY 2009 regulatory fees must be received by the Commission no later than September 22, 2009, and that payments received after that date will be charged a 25 percent late payment penalty).

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

MAR 18 2011

OFFICE OF  
MANAGING DIRECTOR

Greg Tapscott  
Controller  
Southern Light  
156 St. Anthony Street  
Mobile, AL 36603

Re: Southern Light  
FY 2010 10-1-10  
Fee Control NoRROG-10-00013282  
Regulatory Fee Amount: \$ 8,367.00  
Late Penalty Amount: \$ 2,091.75  
Date Regulatory Fee Paid: 10-1-10  
Date Late Penalty Paid: 10-1-10

Dear Mr. Tapscott:

This letter responds to the above-referenced request for waiver of the penalty for late payment of FY 2010 regulatory fees. For the reasons stated herein, your waiver request is denied.

Section 9(a)(1) of the Communications Act states that the Commission “shall assess and collect regulatory fees” to recover the costs of its regulatory activities.<sup>1</sup> Section 9(c)(1) provides that “[t]he Commission shall prescribe by regulation an additional charge which shall be assessed as a penalty for late payment of fees required” by Section 9(a) and that “[s]uch penalty shall be 25 percent of the amount of the fee which was not paid in a timely manner.”<sup>2</sup> The Commission’s regulations provide that “[a]ny late payment or insufficient payment of a regulatory fee, not excused by bank error, shall subject the regulatee to a 25 percent penalty of the amount of the fee . . . which was not paid in a timely manner.”<sup>3</sup> For FY 2010, the deadline for paying regulatory fees was August 31, 2010.<sup>4</sup>

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<sup>1</sup> 47 U.S.C. §159(a)(1).

<sup>2</sup> 47 U.S.C. §159(c)(1).

<sup>3</sup> 47 C.F.R. §1.1164.

<sup>4</sup> *Public Notice, FY 2010 Regulatory Fees Due No Later Than August 31, 2010, Eastern Time (ET)*, DA 10-1451, 2010 WL 3133517 (Aug. 9, 2010) (*FY 2010 Filing Deadline Public Notice*).

You paid your regulatory fees after the August 31, 2010, deadline for filing regulatory fees, and therefore failed to meet this obligation. The Commission has repeatedly held that “[l]icensees are expected to know and comply with the Commission’s rules and regulations and will not be excused for violations thereof, absent clear mitigating circumstances.”<sup>5</sup> The assertion in your request, that the deadline was earlier than in previous years and/or that the notice period was shorter or sooner than expected does not constitute circumstances sufficient to mitigate your obligation to pay the FY 2010 regulatory fees by the announced deadline of August 31, 2010.

In *Assessment and Collection of Regulatory Fees for Fiscal Year 2010*, 25 FCC Rcd 9278, 9279 (2010) (*2010 Report and Order*), which was adopted on July 8, 2010, and released on July 9, 2010, the Commission stated that “[c]onsistent with our established practice, we intend to collect these [FY 2010] regulatory fees during an August 2010 filing window.” On August 9, 2010, the Commission announced the August 31, 2010, due date for filing the FY 2010 regulatory fees.<sup>6</sup> Given that the Commission announced an August 2010 filing window on July 9, 2010, and adopted the August 31, 2010, due date on August 9, 2010, we find that you had ample notice of the filing deadline to ensure compliance with their FY 2010 regulatory fee payment obligations.

Confusion regarding the deadline for payment or concerning the use of the Fee Filer system does not provide sufficient grounds for a waiver of the regulatory fees rules, particularly given the Commission’s announcement regarding the August 2010 filing window and access to instructions for Fee Filer access in the *2010 Report and Order*.<sup>7</sup> Moreover, history of timely payment of the regulatory fee does not provide sufficient grounds to support a waiver of the late payment penalties.<sup>8</sup> Further, any assertion that payment was “only a little late” does not rise to the showing required for a waiver; although the Commission has waived late fees on a showing of good cause, neither the statute nor the Commission’s regulations contemplates a waiver of or reduction in the late payment penalty based on the amount of time after the deadline within which the regulatee satisfies its payment obligations.<sup>9</sup> Finally, Section 9(c)(1) does not limit the late payment penalty to regulatees whose failure to pay was knowing or willful. In short, the Commission has waived the Section 9(c)(1) penalty “only in the most extraordinary circumstances”<sup>10</sup> and we find no such extraordinary circumstances here. Your request for waiver or reduction of the penalties for late payment of the FY 2010 regulatory fees is denied.

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<sup>5</sup> See *Sitka Broadcasting Co., Inc.*, 70 FCC 2d 2375, 2378 (1979), citing *Lowndes County Broadcasting Co.*, 23 FCC 2d 91 (1970) and *Emporium Broadcasting Co.*, 23 FCC 2d 868 (1970); see also *NextGen Telephone* (OMD, Apr. 22, 2010); *Istel, Inc.* (OMD, Apr. 22, 2010).

<sup>6</sup> See *FY 2010 Filing Deadline Public Notice*.

<sup>7</sup> See *2010 Report and Order* at 9291 (advising regulatees to “check[] the Commission’s website periodically beginning in July, . . . to ascertain the fee due date, and receive instructions on how to access Fee Filer, view their bill, and make a fee payment”).

<sup>8</sup> See *TWC Digital Phone, LLC* (OMD, Sept. 28, 2009); *Big River Telephone Company* (OMD, July 21, 2009).

<sup>9</sup> See *XO Communications, LLC* (OMD, Nov. 10, 2010).

<sup>10</sup> *McLeodUSA Telecommunications Services, Inc., Memorandum Opinion and Order*, 19 FCC Rcd 6587, 6589 (2004) (denying the request for waiver of 25 percent penalty).

If you have any questions concerning this matter, please call the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Stephens', written in a cursive style.

Mark Stephens  
Chief Financial Officer

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

MAR 16 2011

OFFICE OF  
MANAGING DIRECTOR

Dan J. Alpert, Esq.  
The Law Office of Dan J. Alpert  
2120 N. 21<sup>st</sup> Road  
Arlington, VA 22201

Re: Station K260BC  
FY 2010 Regulatory Fee Waiver Request  
Filed 8-24-10  
Fee Control No. RROG-10-00013274  
Regulatory Fee Amount: \$ 415.00  
Date Regulatory Fee Paid: 8-24-10

Dear Mr. Alpert:

This letter responds to your request, referenced above, for waiver of regulatory fees ("Regulatory Fees"). Our records reflect that this fee has been paid. For the reasons stated herein, we grant your request.

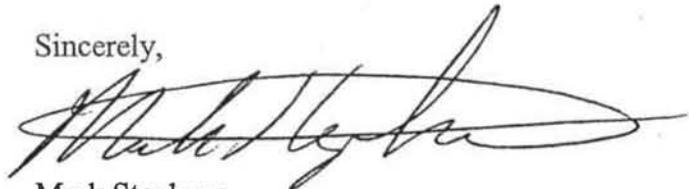
Our records reflect that you filed for Special Temporary Authority (STA) for the above-referenced ("Station") to remain silent prior to the due date of the Regulatory Fees in question, and that the station was still silent on the due date for filing the Regulatory Fees in question.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of service by dark stations and that it therefore would waive the fee requirement for stations which have ceased operation.<sup>1</sup> Because our records reflect that you were not operating the Station on the date that the Regulatory Fees in question were due, we grant the request for waiver of the Regulatory Fee

A check made payable to the maker of the original check, and drawn in the amount of \$415.00, will be sent at the earliest practicable time.

If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark Stephens  
Chief Financial Officer

<sup>1</sup> *Memorandum Opinion and Order in MD Docket No. 94-19, FCC 95-257, 10 FCC Rcd 12759, 12762 (1995)*. Broadcast stations that are dark must request permission to suspend operation pursuant to Section 73.1740(a)(4) of the Commission's rules. *Id.*

RR00-10-00013274

The Law Office of

**Dan J. Alpert**

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

(703) 243-8690

(703) 243-8692 (FAX)

August 24, 2010

RECEIVED - FCC

SEP 13 2010

Federal Communications Commission  
Bureau / Office

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

**Re: Station K260BC  
Johnson City, TX  
Facility No. 148373  
FRN: 0019702661**

Dear Mr. VanRoekel:

Rio Bravo Entertainment, LLP, 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.

Rio Bravo is licensee of Station K260BC. The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$415.00 2010 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 Rio Bravo Entertainment, LLP*

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

MAR 18 2011

OFFICE OF  
MANAGING DIRECTOR

Dan J. Alpert, Esq.  
The Law Office of Dan J. Allpert, Esq.  
2120 N. 21<sup>st</sup> Road  
Arlington, VA 22201

Re: Station KVTE-LP  
FY 2010 Regulatory Fee Waiver Request  
Filed 9-132-10  
Fee Control No. RROG-10-00013273  
Regulatory Fee Amount: \$ 415.00  
Date Regulatory Fee Paid: 8-31-10

Dear Mr. Alpert:

This letter responds to your request, referenced above, for waiver of regulatory fee ("Regulatory Fee"). Our records reflect that this fee has been paid. For the reasons stated herein, we grant your request.

Our records reflect that you filed for Special Temporary Authority (STA) for the above-referenced ("Station") to remain silent prior to the due date of the Regulatory Fee in question, and that the station was still silent on the due date for filing the Regulatory Fee in question.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of service by dark stations and that it therefore would waive the fee requirement for stations which have ceased operation.<sup>1</sup> Because our records reflect that you were not operating the Station on the date that the Regulatory Fee in question was due, we grant the request for waiver of the Regulatory Fee.

A check made payable to the maker of the original check, and drawn in the amount of \$415.00, will be sent at the earliest practicable time.

If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark Stephens  
Chief Financial Officer

<sup>1</sup> *Memorandum Opinion and Order in MD Docket No. 94-19, FCC 95-257, 10 FCC Rcd 12759, 12762 (1995)*. Broadcast stations that are dark must request permission to suspend operation pursuant to Section 73.1740(a)(4) of the Commission's rules. *Id.*

Cherry Collins Title BAR/06/TOG

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

OFFICE OF  
MANAGING DIRECTOR

March 22, 2011

Matthew H. McCormick, Esq.  
Fletcher, Heald & Hildreth, P.L.C.  
1300 North 17<sup>th</sup> Street, 11<sup>th</sup> Floor  
Arlington, VA 22209

Re: Station KYET (AM)  
FY 2010 Regulatory Fee Waiver Request  
Filed 8-5-10  
Fee Control No. RROG-10-00012946  
Regulatory Fee Amount: \$ 550.00

Dear Mr. McCormack:

This letter responds to your request, referenced above, for waiver of regulatory fee ("Regulatory Fee"). Our records reflect that the fee has not been paid. For the reasons stated herein, we grant your request.

Our records reflect that the license for the above-referenced station ("Station") was cancelled prior to the due date for filing the Regulatory Fee in question, or that you filed for Special Temporary Authority ("STA") for the Station to remain silent prior to the due date and that the Station was still silent on the due date.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of service by dark stations and that it therefore would waive the fee requirement for stations which have ceased operation.<sup>1</sup> Because our records reflect that you were not operating the Station on the date that the Regulatory Fee in question was due, we grant the request for waiver of the Regulatory Fee.

If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark Stephens  
Chief Financial Officer

<sup>1</sup> *Memorandum Opinion and Order in MD Docket No. 94-19, FCC 95-257, 10 FCC Rcd 12759, 12762 (1995).* Broadcast stations that are dark must request permission to suspend operation pursuant to Section 73.1740(a)(4) of the Commission's rules. *Id.*

HARRY F. COLE  
ANNE GOODWIN CRUMP  
PAUL J. FELDMAN  
JEFFREY J. GEE  
CHRISTINE GOEPP\*  
KEVIN M. GOLDBERG  
FRANK R. JAZZO  
M. SCOTT JOHNSON  
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MICHELLE A. McCLURE  
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RAYMOND J. QUIANZON  
JAMES P. RILEY  
DAVINA SASHKIN  
PETER TANNENWALD  
KATHLEEN VICTORY  
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\* NOT ADMITTED IN VIRGINIA

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August 5, 2010

RR06-00012946

12946.  
RETIRED MEMBERS  
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OF COUNSEL  
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THOMAS J. DOUGHERTY, JR.  
DONALD J. EVANS  
ROBERT M. GURSS\*  
RICHARD F. SWIFT

WRITER'S DIRECT

(703) 812-0438  
MCCORMICK@FHHLAW.COM

HAND DELIVERY

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Washington, DC 20554

Re: Request for Waiver of FY 2010 Regulatory Fees  
Grand Canyon Gateway Broadcasting, LLC  
FRN: 0006969737

Attn: Office of the Managing Director  
Room 1-A625

Dear Ms. Dortch:

By its counsel, Grand Canyon Gateway Broadcasting, LLC ("GCGB"), licensee of Station KYET (AM), Golden Valley, AZ (Facility Id. No. 64357), hereby requests a waiver of its obligation to pay regulatory fees due August 30, 2010, with respect to Station KYET.

In *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12762 (1995), the Commission determined that regulatory fees may be waived for stations which are not on the air.

Station KYET is currently not on the air. The Commission has granted Special Temporary Authority for the station to remain silent (BLSTA-20100513ABF). A copy of the silence authorization letter is attached.

In light of the foregoing, GCGB respectfully requests relief from payment of the FY 2010 regulatory fee due for Station KYET.

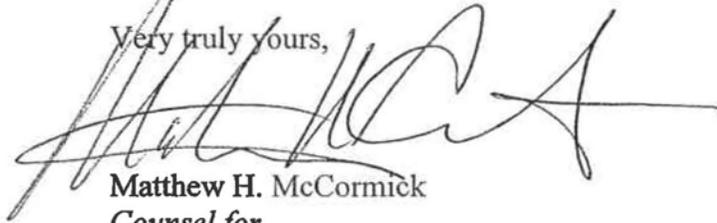
FLETCHER, HEALD & HILDRETH, P.L.C.

August 5, 2010

Page 2

Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'M. McCormick', written over the typed name.

Matthew H. McCormick

*Counsel for*

*Grand Canyon Gateway Broadcasting, LLC*

cc: Regina Dorsey (FCC)  
Joe and Rhonda H

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D. C. 20554

JUL 15 2010

IN REPLY REFER TO:  
1800B3-KAW

Joseph Hart  
Grand Canyon Gateway Broadcasting, LLC  
812 E. Beale Street  
Kingman, AZ 86401

In re: KYET(FM), Golden Valley, AZ  
Facility ID No. 64357  
Silent Since April 20, 2010  
Request For Special Temporary  
Authority To Remain Silent

Dear Mr. Hart:

This letter concerns the request, filed on May 13, 2010, on behalf of Grand Canyon Gateway Broadcasting, LLC, for Special Temporary Authority to permit Station KECK(FM) to remain silent.

Grand Canyon Gateway Broadcasting, LLC's request states that KECK(FM) went silent on April 20, 2010, due to the relocation of the station. Grand Canyon Gateway Broadcasting, LLC's request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.<sup>1</sup>

Grand Canyon Gateway Broadcasting, LLC's request will be granted. Accordingly, Special Temporary Authority is granted to permit Station KECK(FM) to remain silent for a period not to exceed 180 days from the date of this letter. **Notwithstanding the grant of this special temporary authority, the broadcast license for KECK(FM) will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m. April 21, 2011.**<sup>2</sup> See Section 312(g) of the Communications Act, 47 U.S.C. Section 312(g).

---

<sup>1</sup> In the event extension of special temporary authority is sought, please renew the certification in this matter .

<sup>2</sup>Notification of resumption of broadcast operations must be mailed to:

Federal Communications Commission  
Attn: 1800B3-DW, Room 2-B450  
445 12th Street, S.W.  
Washington, D.C. 20554

The station's silent status does not suspend the licensee's obligation to comply with all other relevant Commission rules, including the filing, when appropriate, of applications for renewal of broadcast license. Finally, we note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower shall be maintained until removed. *See* 47 C.F.R. Sections 17.6 and 73.1740(a)(4).

Sincerely,

A handwritten signature in black ink, appearing to read "H. Taft Snowdon". The signature is written in a cursive, somewhat stylized font.

H. Taft Snowdon  
Supervisory Attorney  
Audio Division  
Media Bureau

cc: Matthew H. McCormick, Esq.

**RECEIVED**

AUG 06 2010

Federal Operations  
Center

**RECEIVED - FCC**

AUG - 5 2010

Federal Communications Commission  
Bureau / Office

**FLETCHER, HEALD & HILDRETH, P.L.C.**

11th Floor  
1300 North 17th Street  
Arlington, Virginia 22209

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Regina Dorsey  
Federal Communications Commission  
Office of the Managing Director  
445 12th Street S.W.  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

April 14, 2011

OFFICE OF  
MANAGING DIRECTOR

Dan J. Alpert, Esq.  
The Law Office of Dan J. Alpert  
2120 N. 21<sup>st</sup> Road  
Arlington, VA 22201

RE: Station W225BH  
FY 2010 Regulatory Fee Waiver Request  
Filed 8-27-10  
Fee Control No. RROG-10-00013113  
Regulatory Fee Amount: \$ 415.00  
Date Regulatory Fee Paid: 8-17-10

Dear Mr. Alpert:

This letter responds to your request, referenced above, for waiver of regulatory fees ("Regulatory Fees"). Our records reflect that this fee has been paid. For the reasons stated herein, we grant your request.

Our records reflect that you filed for Special Temporary Authority (STA) for the above-referenced ("Station") to remain silent prior to the due date of the Regulatory Fees in question, and that the station was still silent on the due date for filing the Regulatory Fees in question.

The Commission has determined that the imposition of a regulatory fee could be an impediment to the restoration of service by dark stations and that it therefore would waive the fee requirement for stations which have ceased operation.<sup>1</sup> Because our records reflect that you were not operating the Station on the date that the Regulatory Fees in question were due, we grant the request for waiver of the Regulatory Fee

A check made payable to the maker of the original check, and drawn in the amount of \$415.00, will be sent at the earliest practicable time.

If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark Stephens  
Chief Financial Officer

<sup>1</sup> *Memorandum Opinion and Order in MD Docket No. 94-19, FCC 95-257, 10 FCC Rcd 12759, 12762 (1995)*. Broadcast stations that are dark must request permission to suspend operation pursuant to Section 73.1740(a)(4) of the Commission's rules. *Id*

The Law Office of

**Dan J. Alpert**

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

(703) 243-8690

(703) 243-8692 (FAX)

August 25, 2010

RECEIVED - FCC

AUG 27 2010

Federal Communications Commission  
Bureau / Office

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

Re: **Station W225BH (formerly W228CA)**  
**Facility No. 138393**  
**FRN: 0005877352**

Dear Mr. VanRoekel:

Tugart Properties, LLC, by its attorney, hereby requests a waiver and refund of its 2010 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 W225BH. The station currently is dark. See Attachment. Accordingly, a waiver and refund of the \$415.00 2010 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*

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D. C. 20554

APR 13 2010

IN REPLY REFER TO:  
1800B3-KAW

Douglas M. Sutton, Jr.  
Tugart Properties, LLC  
P.O. Drawer E  
Toccoa, GA 30577

In re: W225BH, Carnesville, GA  
Facility ID No. 138393  
Silent Since February 25, 2010  
Request For Special Temporary  
Authority To Remain Silent

Dear Mr. Sutton:

This letter concerns the request, filed on March 15, 2010, on behalf of Tugart Properties, LLC, for Special Temporary Authority to permit FM Translator Station W225BH to remain silent.

Tugart Properties, LLC's request states that W225BH went silent on February 25, 2010, due to equipment modifications and the proposed relocation of its transmitter site. Tugart Properties, LLC's request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.<sup>1</sup>

Tugart Properties, LLC's request will be granted. Accordingly, Special Temporary Authority is granted to permit FM Translator Station W225BH to remain silent for a period not to exceed 180 days from the date of this letter. **Notwithstanding the grant of this special temporary authority, the broadcast license for W225BH will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m. February 26, 2011.**<sup>2</sup> See Section 312(g) of the Communications Act, 47 U.S.C. Section 312(g).

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<sup>1</sup> In the event extension of special temporary authority is sought, please renew the certification in this matter.

<sup>2</sup>Notification of resumption of broadcast operations must be mailed to:

Federal Communications Commission  
Attn: 1800B3 DW, Room 2-B450  
445 12th Street, S.W.  
Washington, D.C. 20554

27

The station's silent status does not suspend the licensee's obligation to comply with all other relevant Commission rules, including the filing, when appropriate, of applications for renewal of broadcast license. Finally, we note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower shall be maintained until removed. See 47 C.F.R. Sections 17.6 and 73.1740(a)(4).

Sincerely,



H. Taft Snowdon  
Supervisory Attorney  
Audio Division  
Media Bureau

cc: Dan J. Alpert, Esq.