

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)
)
Implementation of the Commercial) MB Docket No. 11-93
Advertisement Loudness Mitigation)
(CALM) Act)
)

Directed to: Office of the Secretary
Attention: Chief, Media Bureau

STREAMLINED FINANCIAL HARDSHIP WAIVER CERTIFICATION

KCWI License, LLC (“Pappas Telecasting”), licensee of KCWI-TV, Des Moines, Iowa (Facility ID No. 51502), hereby certifies that it requires a one-year delay to achieve compliance with the requirements of the Commercial Loudness Mitigation Act (the “CALM Act”) and, as set forth herein, requests waiver of the December 13, 2012 deadline for compliance. Pursuant to the streamlined waiver process set forth in the Commission’s December 13, 2011 *Report and Order* in this proceeding, Pappas Telecasting requests waiver for KCWI-TV as a “small broadcast station.”¹ Under the procedures adopted in the *Order*, a “small broadcast station” seeking a waiver must do so by certifying to the Commission that it qualifies as a “small broadcast station” and that it requires a delay of one year to obtain specified equipment to avoid financial hardship.²

As set forth in the attached Certification of Alice Heiserman, KCWI-TV certifies that it satisfies the definition of “small broadcast station” set forth in the *Order* by virtue of the fact that the station has less than \$14 million in annual receipts. KCWI-TV further certifies that to avoid

¹ Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act, *Report and Order*, 26 FCC Rcd 17222, 17253-54 (2011) (the “*Order*”).

² *Id.*

financial hardship, it requires a one-year delay to obtain certain specified equipment, as listed on Exhibit 1, necessary for KCWI-TV to comply with the Commission's CALM Act requirements.

Additionally, the equipment which KCWI-TV plans to implement to become compliant with the CALM Act requirements is the Volicon TS Observer with the CALM module (or equivalent).

For the foregoing reasons, Pappas Telecasting respectfully requests a one-year waiver for KCWI-TV to comply with the CALM Act.

Respectfully submitted:

KCWI License, LLC

By: _____



Steven E. Alferis
Special Counsel

October 12, 2012

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)
)
Implementation of the Commercial) MB Docket No. 11-93
Advertisement Loudness Mitigation)
(CALM) Act)
)

Directed to: Office of the Secretary
Attention: Chief, Media Bureau

CERTIFICATION OF ALICE HEISERMAN

I, Alice Heiserman, hereby certify as follows:

1. I am General Ledger Accountant of KCWI License, LLC, licensee of television station KCWI-TV, Des Moines, Iowa.
2. During calendar year 2011, KCWI-TV had less than \$14 million in annual receipts. It is anticipated that the station will also have less than \$14 million in annual receipts for 2012.
3. To achieve compliance with the Commission's CALM Act requirements at KCWI-TV, Pappas Telecasting must obtain and implement the Volicon TS Observer with the CALM module (or equivalent).
4. To avoid financial hardship, Pappas Telecasting requires a one-year waiver of the Commission's CALM Act requirements to allow it to obtain the necessary equipment for KCWI-TV.


Alice Heiserman
General Ledger Accountant

October 12, 2012