

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

Independent Communications, Inc. (“Independent”), licensee of KTTW, Sioux Falls, South Dakota (Facility ID No. 28521) and satellite station KTTM, Huron, South Dakota (Facility ID No. 28501) (together, the “Stations”) hereby certifies that it requires a one-year delay to achieve compliance with the requirements of the Commercial Advertisement 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, Independent requests waiver for each of the Stations 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

Independent operates KTTM as a satellite of KTTW. As set forth in the attached Certification of Ed Hoffman, Independent certifies that the Stations, individually and together,

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

² *Id.*

satisfy the definition of “small broadcast station” set forth in the *Order* by virtue of the fact that they have less than \$14 million in annual receipts. Independent further certifies that to avoid financial hardship, it requires a one-year delay to obtain certain specified equipment, as listed on Exhibit 1, necessary for the Stations to comply with the Commission’s CALM Act requirements.

For the foregoing reasons, Independent respectfully requests a one-year waiver for the Stations to comply with the CALM Act.

Respectfully submitted:

INDEPENDENT COMMUNICATIONS, INC.

By: 

Matthew H. McCormick
Daniel A. Kirkpatrick

Its Attorneys

FLETCHER, HEALD & HILDRETH, PLC
1300 North 17th Street, 11th Floor
Arlington, VA 22209
(703) 812-0400

October 12, 2012

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

In the Matter of)

Implementation of the Commercial)
Advertisement Loudness Mitigation)
(CALM) Act)

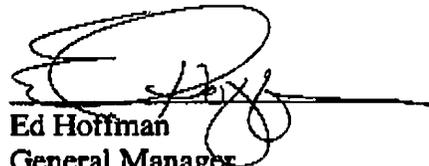
) MB Docket No. 11-93
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)
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CERTIFICATION OF ED HOFFMAN

I, Ed Hoffman, hereby certify as follows:

1. I am General Manager of KTTW, Sioux Falls, South Dakota and its satellite station KTTM, Huron, South Dakota.
2. During calendar year 2011, KTTW and KTTM had less than \$14 million in annual receipts. It is anticipated that the stations will also have less than \$14 million in annual receipts for 2012.
3. To achieve compliance with the Commission's CALM Act requirements, KTTW and KTTM must obtain the equipment listed on Exhibit 1.
4. To avoid financial hardship, KTTW and KTTM require a one-year waiver of the Commission's CALM Act requirements to allow the stations to obtain the necessary equipment.


Ed Hoffman
General Manager
KTTW/KTTM

October 12, 2012

EXHIBIT 1

EQUIPMENT LIST



1-800-332-7088
www.hvs-inc.com

QUOTE

Quote # PLBSQ13564
Doc Name KTTW Miranda mini and EAP 3901
Date 05/22/12
Sales Rep. Pam Sortland
Terms Net 30

Quote To:
 KTTW
 John Bennett
 2817 W. 11th Street
 Sioux Falls, SD 57104

Ship To:
 KTTW
 John Bennett
 2817 W. 11th Street
 Sioux Falls, SD 57104

(605)338-0017

Qty	Manuf	Model	Description	Unit List	Unit Price	Ext. Price
1	Miranda	DENSITE 3 MINI	Housing frame with (1) PSU (AC In), (1) Basic Controller w/front control panel,(1) blank rear panels SRP	\$795.00	\$596.25	\$596.25
1	Miranda	DENSITE 3 MINI-CPU-ETH2	Controller card with redundant Ethernet ports	\$730.00	\$547.50	\$547.50
1	Miranda	DENSITE 3 MINI-PSU	Redundant external PSU for Densit, 3 mini	\$95.00	\$71.25	\$71.25
1	Miranda	EAP-3901	3G/HD/SD Embedded Audio & Metadata Processor	\$2,995.00	\$2,246.25	\$2,246.25
1	Miranda	EAP-3901-3SRP	Single Rear Connector Panel	\$90.00	\$67.50	\$67.50
1	Miranda	MOD-LA-ALC-6-DUP	6-Channel ALC and upmix licensed by Linear Acoustic	\$4,495.00	\$3,371.25	\$3,371.25
TOTAL DOES NOT INCLUDE SHIPPING OR TAXES				\$9,200.00	Total	\$6,900.00

PROPOSALS FROM HEARTLAND VIDEO SYSTEMS INC. (HVS) ARE VALID FOR 30 DAYS.
 Restocking Fees: A 15% restocking fee will be charged for items returned unopened and within 30 days of shipment date with approval.
 Shipping Charges: Customer will be billed for shipping from vendor to HVS if applicable

Quote accepted for order by: _____ Date: _____