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

To: Marlene Dortch, Secretary
Federal Communications Commission
ATTN: Media Bureau

Request for Streamlined Financial Waiver of CALM Act Requirements

1. Action Community Television Broadcasting Network ("Action"), licensee of WHIG-LD, Rocky Mount, North Carolina, Fac. Id 168101),[1] hereby requests the streamlined financial waiver of the Commercial Advertisement Loudness Mitigation Act ("CALM Act") as established by the Commission in the Report and Order in the above-entitled rulemaking proceeding, FCC 11-182, 26 FCC Rcd 17222, released December 13, 2011 (the "R&O"). See R&O, paras. 49-58.

2. The Commission determined that "small broadcast stations" would be able to receive a waiver of the CALM Act requirements if they could show (1) that the station meets the Commission's definition of a "small broadcast station" for this purpose, which is either a station with less than $14,000,000.00 in annual receipts or is located within markets 150-210; and (2) needs a delay of one year to obtain specified equipment in order to avoid the financial hardship that would be imposed if it were required to be obtain the equipment sooner. See R&O, para 52.

3. Action hereby certifies that WHIG-LD meets the definition of a "small broadcast station" and that it needs a delay to obtain the required equipment to comply with the CALM Act as it

[1] Station WHIG-LD has pending before the Commission an application for Class A status. See BLTTA-20010709ACV.

would be a financial hardship for it to purchase the equipment by December 13, 2012. Station WHIG-LD has less than $14,000,000.00 in annual receipts. Further, given the expenses required to operate WHIG-LD, a one year delay would help reduce the burden on Action to comply with the CALM Act. Action estimates that the equipment necessary to comply with the CALM Act would cost at least $20,000, which would present a financial hardship for WHIG-LD.

4. Action hereby certifies that no party to this waiver request is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 853a.

Conclusion

5. Action is entitled to a financial hardship waiver permitting it to receive a one-year delay for it to comply with the CALM Act. Therefore, for the reasons set forth above, Action respectfully requests that the Commission grant the instant request for waiver.

Respectfully submitted,

Nathaniel J. Hardy

Counsel for Action Community Television Broadcasting Network

October 12, 2012

Wood, Martin & Hardy, P.C.
3300 Fairfax Drive, Suite 202
Arlington, VA 22201
(t) 703-465-2361
(f) 703-465-2365