

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

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

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

Request for Streamlined Financial Waiver of CALM Act Requirements

1. Pollack/Belz Broadcasting Company, LLC (“Pollack/Belz”), licensee of KIEM-TV, Eureka, California, Fac. Id 53382, 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. Pollack/Belz hereby certifies that KIEM-TV 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 would be a financial hardship for it to purchase the equipment by December 13, 2012. Station KIEM-TV is located in the Eureka, California Designated Market Area, which is the

194th ranked market by Nielson. Further, given the expenses required to operate the station, a one year delay would help reduce the burden on Pollack/Belz to comply with the CALM Act. Pollack/Belz estimates that the equipment necessary to comply with the CALM Act would cost at least \$20,000, which would present a financial hardship for the station.

4. Pollack/Belz 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. Pollack/Belz 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, Pollack/Belz respectfully requests that the Commission grant the instant request for waiver.

Respectfully submitted,



Nathaniel J. Hardy

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October 12, 2012

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