

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

1. By this pleading and the attached certificate, Family Stations of New Jersey, Inc. (“Licensee”), licensee of full-power digital television station WFME-TV, Facility ID 20818, West Milford, New Jersey, hereby certifies that WFME-TV requires a one-year delay to achieve compliance with the requirements of the Commercial Advertisement Loudness Mitigation Act (the “CALM Act”) and requests a waiver of the December 13, 2012 deadline for compliance.¹

2. Pursuant to the streamlined waiver process set forth in the Commission’s December 13, 2011 *Report and Order* in this proceeding, Licensee requests waiver for WFME-TV as a “small broadcast station.”² Under the procedures adopted in the *Order*, a station seeking a waiver on this basis must certify 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.³

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

² *Order* at 17253-54.

³ *Id.*

3. As set forth in the attached Certification of Thomas Evans, Licensee certifies that WFME-TV satisfies the definition of “small broadcast station” by virtue of having less than \$14 million in gross annual receipts. Mr. Evans further certifies that, to avoid financial hardship, the Licensee requires a one-year delay to obtain certain the equipment necessary for WFME-TV to comply with the Commission’s CALM Act requirements.

4. Accordingly, Family Stations of New Jersey, Inc. respectfully requests a one-year waiver for WFME-TV to comply with the CALM Act.

Respectfully submitted:

/s/

By: _____

Davina Sashkin

*Counsel for
Family Stations of New Jersey, Inc.*

FLETCHER, HEALD & HILDRETH, PLC
1300 North 17th Street, 11th Floor
Arlington, VA 22209-3801
Tel. 703- 812-0400
Fax 703-812-0486
E-mail: sashkin@fhhlaw.com

October 15, 2012

CERTIFICATION OF THOMAS EVANS

Thomas Evans hereby certifies as follows:

1. I am Vice President of Family Stations of New Jersey, Inc.
2. Family Stations of New Jersey, Inc. is the licensee of Station WFME-TV, Facility ID 20818, West Milford, New Jersey.
3. During calendar year 2011, WFME-TV had less than \$14 million in annual receipts. It is anticipated that WFME-TV will also have less than \$14 million in annual receipts for 2012.
4. To achieve compliance with the Commission's CALM Act requirements, WFME-TV must install certain equipment, including a loudness controller device and software, to ensure Station compliance.
5. As initial estimates have indicated that the costs for such equipment will be a minimum of several thousand dollars, Family Stations of New Jersey, Inc. requires a one-year waiver of the Commission's CALM Act requirements for WFME-TV to allow it to obtain the necessary equipment while avoiding financial hardship.



Thomas Evans

October 15, 2012