

December 13, 2012

Via Electronic Comment Filing System

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20544

Re: KPLE-CA/-LD, Killeen, Texas
Request for Streamlined Financial Hardship Waiver
Implementation of Commercial Advertisement Loudness
Mitigation (CALM) Act, MB Docket No. 11-93

Dear Ms. Dortch:

Our firm is counsel to Killeen Christian Broadcasting Corporation (“Killeen”), licensee of KPLE-CA/-LD, Killeen, Texas (the “Station”). By this letter, and pursuant to the streamlined processes adopted in the Commission’s *Report and Order* issued December 13, 2011, in the above-captioned proceeding (the “*Order*”), Killeen respectfully requests a waiver of the Commercial Advertisement Loudness Mitigation (“CALM”) Act rules adopted therein for one year due to financial hardship.

Pursuant to the *Order*, “small broadcast stations” may request a waiver of the Commission’s CALM Act rules through a streamlined waiver process.¹ A “small broadcast station” is defined as a station (1) with no more than \$14 million in annual receipts, or (2) is located in television markets 150 to 210.² Additionally, to qualify for a waiver under the streamlined process, an applicant must certify that it needs a delay of one year to obtain certain specified equipment in order to avoid financial hardship.³

¹ *Implementation of Commercial Advertisement Loudness Mitigation Act, Report and Order*, FCC 11-182, ¶¶ 52-53 (2011).

² *Id.*, ¶ 53.

³ *Id.*, ¶ 52 & n.226.

Enclosed with this letter is the Certification of Catherine Mason, President of the licensee, who certifies (1) that the Station meets the Commission's definition of a "small broadcast station" for the purposes of the streamlined financial hardship waiver because, at all relevant times, Killeen has less than \$14 million in annual receipts.⁴ Ms. Mason further certifies that, to avoid financial hardship, Killeen requires a one-year delay to obtain certain specified equipment necessary for the Station to comply with the Commission's CALM Act rules.

Accordingly, the Station meets the definition of a "small broadcast station" and respectfully requests a waiver of CALM Act compliance for one year.

If any questions should arise during the course of your consideration of this matter, it is respectfully requested that you communicate with this office.

Respectfully submitted,

BROOKS, PIERCE, MCLENDON,
HUMPHREY & LEONARD, L.L.P.



Laura S. Chipman
*Counsel to Killeen Christian Broadcasting
Corporation*

Enclosure

⁴ KPLE-CA/-LD is licensed to Killeen, Texas, which is located in the Waco-Temple-Bryan Designated Market Area, which is, according to Nielsen, the 88th largest market. See <http://www.nielsen.com/content/dam/corporate/us/en/public%20factsheets/tv/nielsen-2012-local-DMA-TV-penetration.pdf>.

**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)

Certification of Catherine Mason

I, Catherine Mason, hereby certify as follows:

1. I am President of Killeen Christian Broadcasting Corporation (“Killeen”), licensee of KPLE-CA/-LD, Killeen, Texas (the “Station”). I have held this position since 2001.
2. Killeen is a non-profit corporation that airs religious and community-oriented programming to its local viewers in the Waco-Temple-Bryan Designated Market Area.
3. During the calendar year 2011, Killeen had less than \$14 million in annual receipts. Killeen anticipates that it will have less than \$14 million in annual receipts for both the 2012 and 2013 calendar years.
4. To avoid financial hardship, which would compromise Killeen’s mission to air programming of interest to its viewers, Killeen requires a waiver of the Commission’s CALM Act rules for one year to allow it to obtain the necessary equipment to comply with the rules.
5. Attached as Exhibit 1 is an estimate provided by Trevini listing the equipment the Station requires to comply with the Commission’s CALM Act rules.

[signature appears on following page]

December 13, 2012
Date

Catherine Mason
Catherine Mason
President
Killeen Christian Broadcasting Corporation

Exhibit 1



KPLE STSC RM40 ESSP RENEWAL 120412 (Steve Coffino)
 Mr. Steve Coffino
 KPLE-Trinity Broadcasting
 502 E. Elms Road
 Killeen, TX 76542
 Tel : 254-554-3683
 Email: chroma77@earthlink.net

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 40 Washington Road
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Item	Product Description	Qty	Part Number	Pricing		
				MSRP	Extended Price	MPT Price
1-1	Enhanced System Support Plan for RM40-BASE. Annual Renewal. One Year.	1	ESSP-STSC-RM40	\$1,200	\$1,200	\$1,200
1-2	Software License. Required when ESSP is not current. Requires purchase of ESSP. Does not include Hardware Warranty. Waived if RM is fitted with the latest release.	1	STSC-RM-SUF	\$750	\$750	\$750
1-3	4 GB -- Additional Memory CT25672Y40B To support CALM monitoring.	2	4GB Memory	\$150	\$300	\$300
<i>Total : RM-40 ESSP Renewal :</i>						\$2,250