

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, Christian Family Network Television, Inc. (“Licensee”), licensee of Class A Television Station K24HH-D Facility ID 168560 Wichita Falls, Texas, hereby certifies that K24HH-D requires an additional 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, 2013 deadline for compliance.<sup>1</sup> This request is timely filed given the deadline suspension as a result of the government shutdown which ended on October 17.

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 K24HH-D as a

---

<sup>1</sup> It is the Licensee’s understanding that Class A television stations are not subject to the CALM Act compliance requirements. This understanding is based on Footnote 17 of *Implementation of the Commercial Advertisement Loudness Mitigation (CALM) Act*, 26 FCC Rcd 17222 (2011) (the “*Order*”), which defines a subject “television broadcast station” as a station licensed under Subpart E of Part 73. Class A stations are licensed under Subpart J and thus do not come within the definition. Nevertheless, this waiver certification is filed for KFTL-CD in an abundance of caution, should the Commission interpret the CALM Act compliance requirements to apply to Class A television stations.

“small broadcast station.”<sup>2</sup> Under the procedures adopted in the *Order*, 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.<sup>3</sup>

3. As set forth in the attached Certification of Rod Payne, President, Licensee certifies that K24HH-D satisfies the definition of “small broadcast station” by virtue of having less than \$14 million in gross annual receipts, including that station and the other stations operated by Licensee.<sup>4</sup> Rod Payne further certifies that, to avoid financial hardship, the Licensee requires an additional one-year delay to obtain certain the equipment necessary for K24HH-D to comply with the Commission’s CALM Act requirements.

4. Accordingly, Licensee respectfully requests a one-year waiver for K24HH-D to comply with the CALM Act.

Respectfully submitted:

By: \_\_\_\_\_/s/  
Peter Tannenwald  
Jonathan R. Markman  
*Counsel for* Christian Family Network Television, Inc.

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

October 14, 2013

---

<sup>2</sup> *Order* at 17253-54.

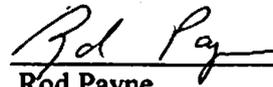
<sup>3</sup> *Id.*

<sup>4</sup> Licensee’s other digital stations are all Low Power Television stations, which are explicitly exempted by the language in the CALM statute.

**CERTIFICATION OF ROD PAYNE**

Rod Payne hereby certifies as follows:

1. I am President of Christian Family Network Television, Inc. ("CFNT").
2. CFNT is the licensee of Class A television station K24HH-D, Wichita Falls, Texas. It is also the licensee of low power television stations K20DN and K30LD-D and holds a construction for a new station, in Wichita Falls (K20LC-D). It was formerly the licensee of DK30DJ and DK46IU-D in Wichita Falls, which are no longer operating.
3. During calendar year 2012, CFNT had less than \$14 million in annual gross receipts from all of its stations combined. CFNT's annual gross receipts for 2012 will also be less than \$14 million for all stations combined.
4. I estimate that to achieve CALM Act compliance for Station K24HH-D will cost at least \$3,000 for hardware and software. This is close to the entire operating monthly budget of the station. CFNT does not have funds available to make such an investment at this time.
5. Accordingly, CFNT hereby requests a one-year waiver of the December 13, 2012, compliance deadline.

  
\_\_\_\_\_  
Rod Payne

October 14, 2013