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NBC Channel 4 - KRNV
Reno, Nevada
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NBC Channel 10 - KENV
Elko, Nevada
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NBC Channel 7 - KWNV
Winnemucca, Nevada
775-322-4444

NBC Channel 11 - KYMA
Yuma, Arizona
928-782-1111

NBC Channel 6 - KPVI
Pocatello, Idaho
208-232-6666

NBC Channel 12 - KTVH
Helena, Montana
406-457-1212

NBC Channel 50 - KBGF - LP
Great Falls, Montana
406-457-1212

NBC Channel 13 - KCWY
Casper, Wyoming
307-577-0013

NBC Channel 13 - KCHY
Cheyenne, Wyoming
307-577-0013

NBC Channel 7 - KSWY
Sheridan, Wyoming
307-577-0013

FOX Channel 35 - KXTF
Twin Falls, Idaho
208-733-0035

REQUEST FOR FINANCIAL HARDSHIP WAIVER:

(Streamlined Processing)
In the Matter of the Commercial Advertisement Loudness Mitigation
(CALM ACT)
MB Docket No. 11-93

Gentlemen:

Ruby Mountain Broadcasting Company, the licensee of television Station KENV-DT, Elko, Nevada [Facility ID 63845], hereby requests a financial hardship waiver of the Commission's CALM Act rules, and further requests that the Commission process the instant request on a streamlined basis in accordance with Paragraphs 52-53 of its *Report and Order in MB Docket* 11-53. On behalf of Ruby Mountain Broadcasting Company, I, Ralph Toddre, its president and COO, certify that Station KENV-DT meets the Commission's definition of a "small market broadcast station" for purposes of the streamlined financial hardship waiver because, at all relevant times, Station has been located in a television market ranked well below 150th.

Ruby Mountain Broadcasting Company also submits that it needs a one year delay in obtaining equipment in order to avoid the financial hardship that would be other imposed in an effort to obtain the equipment by the December 13, 2012 effective date of the CALM rules. The equipment required to comply with those CALM rules includes a unit to monitor audio levels contained in the digital stream that goes to viewers. This device also makes corrections to the audio levels such that the viewer does not have the perception of an audio level difference between primarily commercials and program content.

The second device required by the station is a unit which monitors the output digital data stream and records the integrity of the stream from the audio level standpoint. This device is necessary to establish records vital to being able to demonstrate the station's compliance with the digital data stream.

The acquisition of the above-described equipment prior to December 13, 2012 will impose grave financial hardship, given the annual gross revenues and expenses associated with the operation of the station. Thus, a one year delay by Station KENV-DT having to acquire this equipment represents a meaningful limitation on the financial hardship that the CALM Act would otherwise impose on the station.

It is respectfully submitted that Station KENV-DT is entitled to a financial hardship waiver permitting it to receive a one year delay in compliance with the CALM Act and the CALM rules.

The undersigned certifies under penalty of perjury that the foregoing is true and correct. Executed at Las Vegas, Nevada on the 12 day of October, 2012.

RUBY MOUNTAIN BROADCASTING COMPANY

Ralph Toddre, President/COO