

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

In the Matter of)	
)	
KTGF License Corporation)	Facility I.D. No. 13792
Licensee of Station KTGF)	NAL/Acct. No.: 201441420021
Great Falls, Montana)	FRN: 0021402961

ORDER

Adopted: July 17, 2015

Released: July 17, 2015

By the Chief, Video Division, Media Bureau:

I. INTRODUCTION:

1. The Video Division issued a Notice of Apparent Liability for Forfeiture (“NAL”) to KTGF License Corporation (the “Licensee”) on July 3, 2014,¹ based on its apparent violations of (i) Section 73.3526(e)(11)(iii) of the Commission’s rules for its failure to timely file Children’s Television Programming Reports for Station KTGF and (ii) Section 73.3514(a) of the Commission’s rules for its failure to report those late filings in its license renewal application. The NAL was returned undeliverable, marked “unclaimed/unable to forward.”² The Video Division then issued a subsequent NAL on September 23, 2014 to a different address on file for the Licensee.³ This NAL was also later returned undeliverable, and marked “no mail receptacle.” Based upon our review of the facts and circumstances surrounding this matter, we hereby rescind the September 23, 2014 NAL and cancel that proposed forfeiture. We note, however, that our action here does not affect the July 3, 2014 NAL, which the Licensee did later receive,⁴ and which the Division will address in a forthcoming forfeiture order.

II. BACKGROUND:

2. The September 23, 2014 NAL at issue proposed a total forfeiture of \$12,000—\$9,000 for the apparent violations addressed in the July 3, 2014 NAL, as set forth above, plus an additional \$3,000 for the Licensee’s failure to provide a valid mailing address. This NAL was sent to the main studio address listed in the Licensee’s online public file,⁵ but was returned undeliverable, and marked “no mail receptacle.”

3. Upon later reaching the Licensee via telephone, Division staff discovered that the

¹ *KTGF License Corporation*, Notice of Apparent Liability for Forfeiture, 29 FCC Rcd 8079 (Vid. Div. 2014). This NAL was for \$9,000.

² According to the licensee, KTGF received a copy of the July 3, 2014 NAL from a law firm in Montana. KTGF responded to this NAL on July 30, 2014.

³ *KTGF License Corporation*, Notice of Apparent Liability for Forfeiture, 29 FCC Rcd 11383 (Vid. Div. 2014). This NAL was for \$12,000.

⁴ See *supra* fn. 2.

⁵ The Division sent the September 23, 2014 NAL to KTGF’s main studio which is located at 3001 47th Street, SW, Great Falls, Montana 59401.

Licensee's main studio facility cannot accept mail because it does not possess a mail receptacle. These discussions with the Licensee also revealed that the original July 3, 2014 NAL was in fact sent to the correct address.⁶ However, due to postal error, the NAL did not successfully reach the Licensee despite the fact that the Licensee has had the same assigned post office box for years and regularly receives mail at that address.

III. DISCUSSION

4. The unusual facts of this case demonstrate that the Licensee did not in fact fail to provide a valid mailing address to the Commission. Therefore, the Licensee is not apparently liable for such a violation. Furthermore, according to the Licensee, the station ultimately received the original July 3, 2014 NAL from a Montana law firm and subsequently filed a response to it with the Commission on July 30, 2014. Therefore, the September 23, 2014 NAL proves unnecessary and should be cancelled.

IV. ORDERING CLAUSES

5. Accordingly, **IT IS ORDERED** that the September 23, 2014 Notice of Apparent Liability for Forfeiture issued to KTGF License Corporation is hereby **RESCINDED** and the proposed \$12,000 forfeiture is **CANCELLED**. As mentioned above, the July 3, 2014 NAL which proposed a \$9,000 forfeiture still stands and will be addressed in a forthcoming forfeiture order.

6. **IT IS FURTHER ORDERED** that copies of this *NAL* shall be sent, by First Class and Certified Mail, Return Receipt Requested, to KTGF License Corporation, c/o Roger Lonnquist, General Manager, PO Box 7393, Helena, Montana 59604-7393 and by e-mail to Roger Lonnquist at tvinvestor@gmail.com.

FEDERAL COMMUNICATIONS COMMISSION



Barbara A. Kreisman
Chief, Video Division
Media Bureau

⁶ Licensee's correct address where it regularly receives mail and where the Division sent the original July 3, 2014 NAL is KTGF License Corporation, PO Box 7393, Helena, Montana 59604-7393.