

**Adherence to Minimum Operating Schedule**

Since Richard J. Samson, as Receiver, became the licensee of KOZB(FM), Livingston, Montana (Facility ID No. 16777) (“KOZB”), on December 6, 2019,<sup>1</sup> KOZB was silent for two (2) periods exceeding 30 consecutive days: (1) December 6, 2019 to April 4, 2020; and (2) April 27, 2020 to the present.

KOZB has had a history of struggling to remain on the air due to financial issues originating under its former licensee, Reier Broadcasting Company, Inc. (“Reier Broadcasting”), which resulted in Reier Broadcasting entering Mr. Samson’s receivership following the death of Reier Broadcasting’s sole shareholder and President, William R. Reier, on September 2, 2019.<sup>2</sup> Mr. Samson was named Receiver of the Reier Broadcasting assets in an order dated October 25, 2019 issued by the Montana Eighteenth Judicial District Court.<sup>3</sup> On November 12, 2019, an application for the involuntary assignment of KOZB’s license from Reier Broadcasting to Mr. Samson, was filed with the Commission.<sup>4</sup> That application was granted and consummated on December 6, 2019.<sup>5</sup> Mr. Samson’s primary duty as Receiver of Reier Broadcasting is to find a buyer for Reier Broadcasting’s stations, including KOZB, which, as further detailed below, has now been accomplished.

**KOZB’s Periods of Silence Under Reier Broadcasting Company, Inc.**

**1<sup>st</sup> Period of Silence (June 1, 2018 – May 18, 2019).** On June 1, 2018, KOZB went silent due to financial difficulties of its former licensee, Reier Broadcasting.<sup>6</sup> On June 12, 2018, Reier Broadcasting filed a Notification of Suspension of Operations/ Request for Silent Special Temporary Authority (“STA”) for KOZB, which was granted August 17, 2018.<sup>7</sup> Due to continuing financial difficulties, Reier Broadcasting then filed a Request for Extension of Silent STA for KOZB, which was granted March 25, 2019.<sup>8</sup> KOZB resumed operations on May 18,

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<sup>1</sup> See File No. BAL-20191112ABB.

<sup>2</sup> *Id.*

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

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> See File No. BLSTA-20180612AAJ.

<sup>7</sup> *Id.*; Letter from Lisa Scanlan, Deputy Chief, Audio Division, Media Bureau, FCC, to Matthew H. McCormick, Esq., Counsel for Reier Broadcasting Company, Inc. (1800B3-DW) (Aug. 17, 2018).

<sup>8</sup> File No. BLESTA-20190206ABA; Letter from Lisa Scanlan, Deputy Chief, Audio Division, Media Bureau, FCC, to Matthew H. McCormick, Esq., Counsel for Reier Broadcasting Company, Inc. (1800B3-KC) (Mar. 25, 2019).

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2019 for approximately 6 hours at reduced power, but was subsequently forced off the air due to a transmitter fire, resulting in equipment failure.<sup>9</sup>

**2nd Period of Silence (May 18, 2019 – December 6, 2019).** KOZB again went silent on May 18, 2019 due to Reier Broadcasting's continuing financial difficulties and a transmitter fire resulting in equipment failure.<sup>10</sup> On May 28, 2019, Reier Broadcasting filed Notification of Suspension of Operations/ Request for Silent STA for KOZB, which was granted June 14, 2019.<sup>11</sup> KOZB remained silent until Mr. Samson, its current licensee, acquired control of the station on December 6, 2019.<sup>12</sup>

**KOZB's Periods of Silence Under Richard J. Samson, as Receiver**

**1st Period of Silence (December 6, 2019 – April 4, 2020).** KOZB was silent when Mr. Samson acquired control of the station on December 6, 2019.<sup>13</sup> Due to KOZB's continuing financial difficulties, Mr. Samson filed a Request for Extension of Silent STA for KOZB, which was granted January 27, 2020.<sup>14</sup> KOZB resumed operations on April 4, 2020, with facilities authorized under STA.<sup>15</sup>

**2nd Period of Silence (April 27, 2020 – Present).** KOZB again went silent on May 25, 2020 due to Mr. Samson's financial difficulties in operating the station.<sup>16</sup> On May 26, 2020, Mr. Samson filed a Notification of Suspension of Operations/ Request for Silent STA for KOZB, noting that he was actively pursuing the sale of KOZB pursuant to his duties as Receiver of Reier Broadcasting.<sup>17</sup> The STA Request was granted on July 15, 2020.<sup>18</sup>

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<sup>9</sup> Resumption of Operations Notification (KOZB) (filed May 24, 2019).

<sup>10</sup> See File No. BLSTA-20190528ABC.

<sup>11</sup> *Id.*; Letter from Lisa Scanlan, Deputy Chief, Audio Division, Media Bureau, FCC, to Matthew H. McCormick, Esq., Counsel for Reier Broadcasting Company, Inc. (1800B3-DW) (June 14, 2019).

<sup>12</sup> See File No. BAL-20191112ABB.

<sup>13</sup> See *id.*

<sup>14</sup> File No. BLESTA-20191217AAK; Letter from Victoria McCauley, Attorney, Audio Division, Media Bureau, FCC, to Matthew H. McCormick, Esq., Counsel for Richard J. Samson, as Receiver (1800B3-DW) (Jan. 27, 2020).

<sup>15</sup> Resumption of Operations Notification (KOZB) (filed May 18, 2020). See also File No. BSTA-20200414AAA (granted April 16, 2020).

<sup>16</sup> See File No. BLSTA-20200526AAF.

<sup>17</sup> See *id.*

<sup>18</sup> Letter from Victoria McCauley, Attorney, Audio Division, Media Bureau, FCC, to Matthew H. McCormick, Esq., Counsel for Richard J. Samson, as Receiver (1800B3-DW) (July 15, 2020).

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Mr. Samson has now identified a buyer for KOZB, and on November 9, 2020, an application to assign KOZB's license to SW Montana Media, LLC was filed with the Commission.<sup>19</sup>

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<sup>19</sup> See File No. BAL-20201109AAV.