



Federal Communications Commission  
Washington, D.C. 20554

May 26, 2015

*In Reply Refer to:*  
1800B3-HOD  
NAL/Acct No.: MB-201441410029  
FRN: 0022637102

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In re: Saver Media, Inc.  
KQTC(FM), Eldorado, Texas  
Facility ID No. 190414  
File No. BMPH-20130725ADU

**Notice of Apparent Liability**

**Response to Notice of Apparent Liability**

Dear Counsel:

This letter concerns a *Notice of Apparent Liability for Forfeiture* ("NAL") issued on July 31, 2014, to Saver Media, Inc. ("Saver"), licensee of FM Station KQTC(FM), Eldorado, Texas ("Station"), for its willful and repeated violation of Section 319(a) of the Communications Act of 1934,<sup>1</sup> as amended, for premature construction of the facilities proposed in the referenced application.<sup>2</sup> We based the NAL on Saver's admission that it constructed the tower on which it proposed to mount the Station's transmitter. While Saver had argued that it constructed the tower for a legitimate alternative purpose, we found that Saver had not adequately demonstrated that it constructed the tower for any such purpose. Specifically, Saver mentioned leasing tower space to another company but did not offer any further information about the company or any agreement it had reached with the company.

Saver filed a Response to the NAL on August 29, 2014. Therein, Saver again states that it contacted another company, Texas Communications, about its "future tower" and that Texas Communications wanted to install equipment on the tower. Saver attaches a copy of an e-mail dated August 26, 2013, between a representative of Texas Communications and its technical consultant, which supports its assertions. Saver also indicates that it entered into a lease agreement with Texas Communications in March 2014 and submits an e-mail from the Texas Communications' representative that indicates that the equipment installed on the tower operates in an unlicensed band. Given this evidence, we find Saver has now adequately demonstrated that it constructed the tower for a legitimate alternative purpose. Accordingly, we will cancel the NAL.

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<sup>1</sup> 47 U.S.C. § 319.

<sup>2</sup> *Saver Media, Inc.*, Memorandum Opinion and Order and Notice of Apparent Liability for Forfeiture, 29 FCC Rcd 9345 (MB 2014).

IT IS ORDERED that the *Notice of Apparent Liability for Forfeiture* issued to Saver Media, Inc. on July 31, 2014, is hereby CANCELLED.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter H. Doyle", with a stylized flourish extending to the right.

Peter H. Doyle  
Chief, Audio Division  
Media Bureau

cc: Saver Media, Inc.