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March 15, 2021

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Re: Blue Sky Broadcasting, Inc.
FM Station KPND, Deer Park, WA
Facility ID No. 5992
Construction Permit Minor Modification, BMPH-20170620AAY
TOLLING REQUEST

Dear Ms. Dortch:

Blue Sky Broadcasting, Inc., licensee of FM Station KPND, Deer Park, WA (Facility ID No. 5992), herein requests, pursuant to Section 73.3598(b) of the FCC's rules, that the minor modification construction permit ("Minor Mod CP") (File No. BMPH-20170620AAY) for KPND be tolled Section 73.3598(b) of the Commission's rules. The CP's current expiration date is April 20, 2021.

Tolling Request. Blue Sky Broadcasting, Inc. filed the minor modification ("Minor Mod") application for KPND on June 20, 2017 (File No. BMPH-20170620AAY) requesting the substitution of Channel 277C3 for Channel 236C3 at Orofino, ID and the modification of KLER-FM, Orofino, ID, fac. id. 9890, operating on Channel 236C3. Central Idaho Broadcasting ("Central Idaho"), the licensee of KLER-FM was directed to show cause why its license should not be modified to specify Channel 277C3 in lieu of Channel 236C3 and Central Idaho consented to the channel substitution.

The KPND Minor Mod application was granted on April 20, 2018, (a copy of the construction permit is attached) and the FM Channel assignment for KLER-FM at Orofino, ID, on the same date was modified to specify operation on Channel 277C. The KPND construction permit expires next month on April 20, 2021 (see attached April 20, 2018 letter to KLER-FM)

The KPND Minor Mod Construction Permit (copy attached) contains the following condition as to KLER-FM: PROGRAM TESTS FOR KPND (FACILITY ID NO. 5992) WILL NOT COMMENCE ON CHANNEL 237C WITH THE FACILITIES AUTHORIZED HEREIN UNTIL PROGRAM TESTS FOR KLER-FM (FACILITY ID NO. 9890) COMMENCE ON CHANNEL 277 AND A LICENSE WILL NOT BE GRANTED FOR KPND ON CHANNEL 237C WITH THE FACILITIES AUTHORIZED HEREIN UNTIL A LICENSE IS GRANTED FOR KLER-FM ON CHANNEL 277.

Tolling of the April 20, 2021, expiration date of the KPND Minor Mod Construction permit is respectfully requested as the “condition” on the KPND Minor Mod CP that a license for KLER-FM be granted and that KLER-FM is operating on Channel 277 is not yet fulfilled. Blue Sky Broadcasting is concerned that due to the unfulfilled condition it may not be able to complete construction of its modified facility and operate by April 20, 2021, and requests an extension of the expiration date for 60 days to permit time for KLER-FM to obtain a grant of a license application and to begin operation on its new Channel 277, which will permit KPND to construct and operate with its Minor Mod CP facilities. Central Idaho filed a license application for Channel 277 operation in February but it was dismissed; however, it is Blue Sky Broadcasting’s understanding that the KLER-FM application will be refiled soon. The extra 60 days will provide sufficient time for KLER-FM to complete its FCC license application process, receive a grant, and initiate operations on Channel 277.

Section 73.3598(b) of the Commission’s rules lists certain causes not under the control of the permittee that shall toll the period of construction for a construction permit. The circumstances set forth above including delays of KLER-FM’s change of channel and operation on Channel 277, a required condition for the KPND Minor Mod CP, clearly satisfy Section 73.3598(b)(5) which includes “failure of a Commission-imposed condition precedent prior to commencement of operation.”

Further if desired by the Commission’s staff, Blue Sky Broadcasting, Inc. will provide information as to weather conditions and problems of the tower owner which have and continue to impact Blue Sky Broadcasting, Inc.’s efforts to complete construction of the KPND Minor Mod CP which would support this Tolling Request satisfy Section 73.3598(b).

Based on the foregoing, Blue Sky Broadcasting, Inc. requests that the Modification CP be tolled for 60 days. Blue Sky Broadcasting, Inc. certifies that neither it nor any party to it is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862. A declaration of Blue Sky Broadcasting, Inc.’s General Manager is attached to confirm the facts contained in this Tolling Request.

Should further information be needed, please contact the undersigned.

Respectfully,



M. Scott Johnson
Counsel for Blue Sky Broadcasting, Inc.

cc: Victoria McCauley, FCC Audio Division, via email
Dylan Benefield, General Manager, Blue Sky Broadcasting, Inc.

Enclosures: April 20, 2018 Commission Letter to KLER-FM
April 20, 2018 KPND(FM) Construction Permit
Supporting Declaration of Blue Sky Broadcasting, Inc.

FEDERAL COMMUNICATIONS COMMISSION
445 Twelfth Street, S.W.
WASHINGTON DC 20554

MEDIA BUREAU
 AUDIO DIVISION
 APPLICATION STATUS: (202) 418-2730
www.fcc.gov/media/radio/audio-division

APR 20 2018

PROCESSING ENGINEER: Harding Chism
 TELEPHONE: (202) 418-2700
 FACSIMILE: (202) 418-1410
 MAIL STOP: 1800B3
 INTERNET ADDRESS: Harding.Chism@fcc.gov

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Central Idaho Broadcasting
 P.O. Box 32
 Orofino, Idaho 83544-0032

In re: KLER-FM, Orofino, ID
 Facility ID No.: 9890
 Central Idaho Broadcasting
 BLH-20060908ABH

KPND(FM), Deer Park, WA
 Facility ID No.: 5992
 Blue Sky Broadcasting, Inc.
 BPH-20170620AAY

Dear Licensee:

Central Idaho Broadcasting ("Central") is hereby notified of the modification of license (BLH-20060908ABH) for KLER-FM, Orofino, Idaho to specify Channel 277C3.

On June 20, 2017, Blue Sky Broadcasting, Inc. ("Blue"), licensee of station KPND(FM), Deer Park, WA filed a minor change application (BPH-20170620AAY)¹ requesting the substitution of Channel 277C3 for Channel 236C3 at Orofino, Idaho and the modification of the above captioned license.² Section 316(a) of the Communications Act of 1934, as amended,³ permits us to modify the license or construction permit if such action is in the public interest. The Act requires that we notify the affected station of the proposed action, the public interest reasons for the action, and afford at least 30 days to respond. Accordingly, by staff letter dated August 1, 2017, Central was directed to show cause why its license should not be modified to specify Channel 277C3 in lieu of Channel 236C3. As of this date, Central has not responded to the August 1, 2017 staff letter, and thus, has consented to the channel substitution.

¹ This application was granted the date of this letter.

² The license at Orofino, Idaho can be modified to specify operation on Channel 277C3 in lieu of Channel 236C3 at the station's current authorized transmitter site (BLH-20060908ABH). The authorized coordinates for the license at Orofino, ID are 46° 28' 09" N.L., 116° 16' 40" W.L.

³ 47 U.S.C. § 316(a) (the "Act").

Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective the date of this letter, the FM assignment IS MODIFIED as follows:

Community
Orofino, Idaho

Channel No.
Add 277C3, Delete 236C3

Pursuant to Section 316(a) of the Communications Act of 1934, as amended, license BLH-20060908ABH IS MODIFIED to specify operation on Channel 277C3 in lieu of Channel 236C3.

Within 30 days of the effective date of this letter, Central shall submit to the Commission a minor change application for construction permit (Form 301). Upon grant of the construction permit, program tests may be conducted in accordance with Section 73.1620 of the Commission's Rules. Nothing contained herein shall be construed to authorize a change in transmitter location or to avoid the necessity of filing an environmental assessment pursuant to Section 1.1307 of the Commission's Rules.

Sincerely,



Rodolfo F. Bonacci
Assistant Chief
Audio Division
Media Bureau

cc: Jeffery C. Jones (via email)
Kim Benfield (via email)
Timothy Z Sawyer (via email)

**United States of America
FEDERAL COMMUNICATIONS COMMISSION**

FM BROADCAST STATION CONSTRUCTION PERMIT

Official Mailing Address:

BLUE SKY BROADCASTING, INC. 327 MARION AVENUE SANDPOINT ID83864

Facility ID: 5992

Call Sign: KPND

Permit File Number: BPH-20170620AAY

Authorizing Official:

Rodolfo F. Bonacci

Assistant Chief

Grant Date: April 20, 2018

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

Commission rules which became effective on February 16, 1999, have a bearing on this construction permit. See Report & Order, Streamlining of Mass Media Applications, MM Docket No. 98-43, 13 FCC RCD 23056, Para. 77-90 (November 25, 1998); 63 Fed. Reg. 70039 (December 18, 1998). Pursuant to these rules, this construction permit will be subject to automatic forfeiture unless construction is complete and an application for license to cover is filed prior to expiration. See Section 73.3598.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of Permittee: BLUE SKY BROADCASTING, INC. Station Location: WA-DEER PARK
Frequency (MHz): 95.3
Channel: 237

Class: C

Hours of Operation: Unlimited

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Media Bureau

This permit expires 3:00 a.m. local time, 36 months after the grant date specified above.

Callsign:KPND Permit No.:BPH-20170620AAY Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of

the Commission's Rules.

Transmitter output power: As required to achieve authorized ERP. Antenna type:Non-Directional

Antenna Coordinates: North Latitude: West Longitude:

47 deg 116 deg

39 min 57 min

36 sec 11 sec

Horizontally	Vertically
Polarized	Polarized

Effective radiated power in the Horizontal Plane (kW): 100 Height of radiation center above ground (Meters): 31 Height of radiation center above mean sea level (Meters): 1372 Height of radiation center above average terrain (Meters): 572 Antenna structure registration number: Not Required

Overall height of antenna structure above ground: 49 Meters
Obstruction marking and lighting specifications for antenna structure:

It is to be expressly understood that the issuance of these specifications is in no way to be considered as precluding additional or modified marking or lighting as may hereafter be required under the provisions of Section 303(q) of the Communications Act of 1934, as amended.

None Required

Special operating conditions or restrictions:

1. 1 THE AUTOMATIC PROGRAM TEST PROVISIONS OF 47 C.F.R. SECTION 73.1620 DO NOT APPLY IN THIS CASE. A FORMAL REQUEST FOR PROGRAM TEST AUTHORITY MUST BE FILED IN CONJUNCTION WITH FCC FORM 302-FM, APPLICATION FOR LICENSE, BEFORE PROGRAM TESTS WILL BE AUTHORIZED. This request must contain documentation which demonstrates compliance with the following special operating condition(s):
2. 2 The permittee shall, upon completion of construction and during the equipment test period, make proper radiofrequency electromagnetic (RF) field strength measurements throughout the transmitter site area to determine if there are any areas that exceed the FCC guidelines for human exposure to RF fields. If necessary, a fence must be erected at

such distances and in such a manner as to prevent the exposure of humans to RF fields in excess of the FCC Guidelines (OET Bulletin No. 65, Edition 97-01, August 1997). The fence must be a type which will preclude casual or inadvertent access, and must include warning signs at appropriate intervals which describe the nature of the hazard. Any areas within the fence found to exceed the recommended guidelines must be clearly marked with appropriate visual warning signs.

Antenna

Antenna

100
31
1372
572

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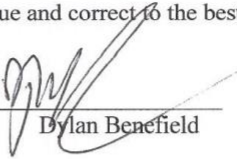
Callsign:KPND Permit No.:BPH-20170620AAY Special operating conditions or restrictions:

3. 3 Documentation demonstrating compliance with the special operating condition(s) shall be submitted at the time of the filing of FCC 302-FM.
4. 4 The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.
5. 5 PROGRAM TESTS FOR KPND (FACILITY ID NO. 5992) WILL NOT COMMENCE ON CHANNEL 237C WITH THE FACILITIES AUTHORIZED HEREIN UNTIL PROGRAM TESTS FOR KLER-FM (FACILITY ID NO. 9890) COMMENCE ON CHANNEL 277 AND A LICENSE WILL NOT BE GRANTED FOR KPND ON CHANNEL 237C WITH THE FACILITIES AUTHORIZED HEREIN UNTIL A LICENSE IS GRANTED FOR KLER-FM ON CHANNEL 277.
6. *** END OF AUTHORIZATION ***

Supporting Statement of Dylan Benefield

Dylan Benefield, under penalty of perjury, declares as follows:

I am an General Manager of Blue Sky Broadcasting, Inc. licensee of KPND. Among my duties for Blue Sky Broadcasting, Inc. has been to be responsible for the necessary follow up to accomplish the construction and licensing of the KPND minor modification construction permit. The facts set forth in the attached Tolling Request are true and correct to the best of my knowledge and belief.


Dylan Benefield