Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of	)	
	)	
Kremling Enterprises, Inc.	)	Facility ID: 67287
Licensee of KYKM(FM),	)	FRN: 0017768342
Yoakum, Texas	)	Application File Nos. BLH-
	)	20130823ACN, 0000143868
and	)	
	)	Facility ID 77834
KTXM(FM),	)	FRN: 0017768342
Hallettsville, Texas	)	Application File Nos. BLH-
	)	19980615KC, 0000143869

REVOCATION ORDER

Adopted: May 30, 2025 **Released: May 30, 2025**

By the Chief, Media Bureau, and the Managing Director, Office of Managing Director:

I. INTRODUCTION

1. By this *Revocation Order*, we revoke the licenses held by Kremling Enterprises, Inc. (Licensee), for KYKM(FM), Yoakum, Texas and KTXM(FM), Hallettsville, Texas (Stations), respectively, for failure to pay its fiscal year (FY) 2017, 2018, 2019, 2020, 2021, and 2024 regulatory fee debt owed to the Commission, totaling $14,222.60 as of April 10, 2025.[1] We also dismiss pending applications for renewal of the Stations' licenses.[2]

II. DISCUSSION

2. Under section 9 of the Communications Act of 1934, as amended (Act), and the Commission's implementing rules, the Commission is required to "assess and collect regulatory fees" to recover the costs of certain regulatory activities.[3] When the required payment is received late or is incomplete, the Commission must assess a penalty equal to "25 percent of the amount of the fee that was not paid in a timely manner."[4] In addition to financial penalties, section 9a(c)(4)(A) of the Act, and section 1.1164(f) of the Commission's rules (Rules) grant the Commission the authority to revoke authorizations for failure to pay regulatory fees (or related interest and penalties) in a timely fashion.[5]

3. Licensee failed to timely pay or only partially paid the Stations' regulatory fees for FYs 2017, 2018, 2019, 2020, 2021, 2022, and 2024. For FY 2017, the deadline for paying regulatory fees was

[1] 47 U.S.C. § 159a(c)(4)(A) ("[T]he Commission may revoke any instrument of authorization held by any licensee that has not paid in a timely manner a regulatory fee assessed under section 9 or any related interest or penalty."). The debt will continue to accrue interest and other charges until paid in full.

[2] Application File Nos. 0000143868 and 0000143869 (Renewal Applications).

[3] 47 U.S.C. § 159(a)(1); 47 CFR §§ 1.1151-1.1167.

[4] 47 U.S.C. § 159a(c)(1); 47 CFR §§ 1.1157(c)(1), 1.1164.

[5] 47 U.S.C. § 159a(c)(4)(A); 47 CFR § 1.1164(f).

September 26, 2017;[6] for FY 2018, it was September 25, 2018;[7] for FY 2019, it was September 27, 2019;[8] for FY 2020, it was September 28, 2020,[9] for FY 2021, it was September 27, 2021,[10] for FY 2022, it was September 30, 2022;[11] and for FY 2024, it was September 26, 2024.[12]

4. Thus, for each delinquent regulatory fee, the Commission assessed the statutory late payment penalty required by the Act,[13] and sections 1.1157(c)(1), and 1.1164 of the Rules,[14] and interest, penalties, and administrative costs required by law.[15] The Commission sent demand letters to Licensee demanding payment of the delinquent regulatory fee debts.

5. On February 4, 2025, the Media Bureau (Bureau) and the Office of Managing Director (OMD) jointly issued an *Order to Pay or to Show Cause* (*Order*) requiring Licensee to file with the Bureau within sixty (60) calendar days[16] evidence of full payment of the regulatory fee debt owed, or

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[6] *Payment Methods and Procedures for Fiscal Year 2017 Regulatory* Fees, Public Notice, 2017 WL 3953380 (OMD September 6, 2017). The Commission extended the filing deadline for FY 2017 to September 29, 2017, for licensees in locations in Texas that were affected by Hurricane Harvey. *Regulatory Fee Filing Window for Those Regulatees Affected by Hurricanes Harvey or Irma is Extended to Friday, September 29, 2017,* Public Notice, DA 17-901, 32 FCC Rcd 6968 (OMD September 15, 2017).

[7] *Payment Methods and Procedures for Fiscal Year 2018 Regulatory Fees*, Public Notice (OMD August 30, 2018), available at https://docs.fcc.gov/public/attachments/DOC-353883A1.pdf.

[8] *Regulatory Fee Filing Window Extended to Friday, September 27, 2019*, Public Notice, DA 19-941, 34 FCC Rcd 8580 (OMD September 23, 2019).

[9] *Regulatory Fee Filing Window is Extended to Monday, September 28, 2020,* Public Notice, DA 20-1131, 35 FCC Rcd 10466 (OMD September 24, 2020); *Payment Methods and Procedures for Fiscal Year 2020 Regulatory Fees*, Public Notice, DA 20- 1032, 35 FCC Rcd 9456 (OMD September 4, 2020).

[10] *Regulatory Fee Filing Window is Extended to Monday, September 27, 2021*, Public Notice, DA 21- 1201, 36 FCC Rcd 13907 (OMD September 24, 2021); *Payment Methods and Procedures for Fiscal Year 2021 Regulatory Fees*, Public Notice, DA 21-1112, 36 FCC Rcd 13423 (OMD September 7, 2021).

[11] *Fiscal Year 2022 Regulatory Fee Filing Deadline Extended to Friday, September 30, 2022, for All Regulatory Fee Payors*, Public Notice, DA 22-1023, 2022 WL 4597483 (OMD September 28, 2022).

[12] *Payment Methods and Procedures for Fiscal Year 2024 Regulatory Fees*, Public Notice DA 24-917 (OMD September 11, 2024).

[13] 47 U.S.C. § 159a(c)(1); 47 U.S.C. § 159(c)(1) (2017). The RAY BAUM's Act, Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018, Pub. L. No. 115-141, 132 Stat. 348, 1095, modified section 9 of the Act and added a new section 9a. Prior to October 1, 2018, when the RAY BAUM's Act became effective, section 9(c)(1) set forth the penalties for late payment of regulatory fees. As amended by the RAY BAUM's Act, section 9a(c)(1) now sets forth those penalties.

[14] 47 CFR §§ 1.1157(c)(1), 1.1164.

[15] Prior to October 1, 2018, the Commission was required to and did assess administrative charges on delinquent regulatory fee debt pursuant to section 3717 of the Debt Collection Improvement Act. 37 U.S.C. § 3717(e)(1); *see also* 47 CFR § 1.1940. Effective October 1, 2018, and as a result of the changes wrought by section 9a of the RAY BAUM'S Act, the Commission may no longer assess the administrative cost of collecting delinquent regulatory fee debt, though the mandate that it charge a 25 percent late payment penalty and interest remains. 47 U.S.C. § 159a(c)(1) and (2).

[16] While not required by the statute, the Commission adopted the 60-day response period for regulatees "to assure that the subject regulatee will have a full opportunity to obtain the funds needed to make payment and to prepare its case." *Implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year*, MD Docket No. 94-19, Report and Order, 9 FCC Rcd. 5333, 5354 para. 62 (1994) (*1994 Report and Order*); *see also Shelly Broadcasting Company, Inc.*, Revocation Order, 34 FCC Rcd 7983 (MB/OMD 2019) (revoking license of station with unpaid regulatory fees after licensee failed to pay fees or respond to order to pay or show cause within 60 days); *Dean Brothers Broadcasting Corp.*, Revocation Order, 34 FCC Rcd 2151 (MB/OMD 2019).

show cause why the fees were inapplicable or should be waived or deferred.[17] The *Order* further stated that failure to provide such evidence of payment or to show cause within the time specified could result in revocation of the Station's license.[18] To date, Licensee has not paid any of the debts, and Licensee has not filed a written response to the *Order*.

III. DISCUSSION

6. We revoke the Stations' licenses. The Bureau and OMD issued the *Order* on February 4, 2025, and it required Licensee to respond within 60 days.[19] The *Order* specified that failure to provide evidence of payment or show cause within the time specified could result in revocation of the Stations' licenses.[20] Licensee did not file a written response to the *Order*.[21] In these circumstances, where Licensee has failed to pay its regulatory fee debt and does not dispute that it is obligated to pay the debt, we conclude revocation is appropriate.[22]

7. We note that this *Revocation Order* does not relieve Licensee of its obligation to pay any debt, including any regulatory fee or any other financial obligation that is owed or may in the future be owed to the Commission. We further note that Licensee may have been or may continue to be a respondent in other administrative proceedings. Action in this proceeding is without prejudice to action in those proceedings, and the existence of those proceedings and matters raised therein are not considered by the Commission in this proceeding.

IV. ORDERING CLAUSES

8. Accordingly, **IT IS ORDERED** that, pursuant to section 9a(c)(4) of the Act and sections 0.11, 0.61, 0.231, 0.283, and 1.1164(f) of the Rules,[23] the licenses of Kremling Enterprises, Inc., for Stations KYKM(FM), Yoakum, Texas and KTXM(FM), Hallettsville, Texas, **ARE HEREBY REVOKED**.

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[17] *Kremling Enterprises, Inc., Licensee of KYKM(FM), Yoakum, Texas and KTXM(FM), Hallettsville, Texas*, Order to Pay or to Show Cause, DA 25-100 (MB/OMD Feb. 4, 2025) (*Order*). At that time, the Commission's records showed that Licensee had unpaid regulatory fees for KYKM(FM) of $1,261.29 for FY 2017; $1,240.67 for FY 2018; $1,273.18 for FY 2019; $1,373.69 for FY 2020; $1,372.94 for FY 2021; $1,483.50 for FY 2021; and $768.75 for FY 2024; and for KTXM(FM) of $1,261.29 for FY 2017; $1,240.67 for FY 2018; $1,273.18 for FY 2019; $1,372.94 for FY 2021; $1,483.50 for FY 2022; and $1,281.25 for FY 2024. *Id*. at para. 4. Since issuance of the Order, each of the foregoing regulatory fee debts has accrued and will continue to accrue interest and other charges until paid in full. As of April 29, 2025, the revised total amount owed was $14,222.60, which reflects the application of an overpayment and a previously unidentified payment, and accrual of additional interest and penalties.

[18] *Id*. at para. 5. *See also* 47 U.S.C. §159a(c)(4).

[19] *Order* at para. 5.

[20] *Id*.

[21] A copy of the *Order* was sent by registered mail, return receipt requested, to the address provided by Licensee in the Renewal Application. *See* 47 CFR § 1.5(a) (unless any licensee advises the Commission to the contrary, the address contained in the licensee's most recent application will be used by the Commission). A signed certified mail receipt was returned to the Commission. Additionally, a courtesy copy was sent to the email addresses on file for Licensee. Email from Keith Coburn, Audio Division, FCC Media Bureau, to Kremling Enterprises, Inc. (Feb. 4, 2025, 09:27am EST).

[22] *See, e.g., Shelley Broad. Co., Inc*., Revocation Order, 34 FCC Rcd 7983 (MB/OMD 2019); *Deane Bros. Broad. Corp*., Revocation Order, 34 FCC Rcd 2151 (MB/OMD 2019) (both revoking station licenses for failure to pay delinquent regulatory fees). *See also LDC Telecomm., Inc*., Revocation Order, 31 FCC 11662 (2016) (revoking authorizations held by LDC for failure to pay delinquent regulatory fees).

[23] 47 U.S.C. § 159a(c)(5); 47 CFR §§ 0.11, 0.61, 0.231, 0.283, 1.1164(f).

9. **IT IS FURTHER ORDERED** that all authority to operate the facilities **ARE TERMINATED** and any operation of the facilities **are now unauthorized and must cease immediately**.[24]

10. **IT IS FURTHER ORDERED** that the Commission's public and internal database will be modified to reflect the revocation, and the Stations' call signs **ARE HEREBY DELETED**.

11. **IT IS FURTHER ORDERED** that the renewal applications filed on April 22, 2021 (Application File Nos. 0000143868 and 0000143869), **ARE DISMISSED**.

12. **IT IS FURTHER ORDERED** that a copy of this *Revocation Order* shall be sent by first class mail and registered mail, return receipt requested, to Kremling Enterprises, Inc. c/o Laura Kremling, Kremling Enterprises, Inc., PO Box 1388, Shiner, TX 77984, and to its consultant, Charles Staples, 1324 N Ave. E, Shiner, TX 77984.

FEDERAL COMMUNICATIONS COMMISSION

Erin Boone
Acting Chief, Media Bureau

Mark Stephens, Managing Director
Office of Managing Director

[24] **It is imperative to the safety of air navigation that any prescribed painting and illumination of the Station's tower be maintained**. *See* 47 CFR §§ 17.6 and 73.1213.