Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of	)	
Southwest Montana Media, LLC	)	Facility ID: 198810 FRN: 0027967082
Licensee of KBOQ(FM), Lima, Montana	)	Application File Nos. BLH-20181105AAL, 0000129211
Former Licensee of	)	
DKANA(AM), Anaconda, Montana,	)	Facility ID 688 FRN: 0027967082
and	)	and
Former Permittee of DK264CZ, Butte, Montana	)	Facility ID 203156 FRN: 0027967082

REVOCATION ORDER

Adopted: September 1, 2026 **Released: September 1, 2026**

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

I. INTRODUCTION

1. By this *Revocation Order*, we revoke the license held by Southwest Montana Media, LLC (Licensee), for KBOQ(FM), Lima, Montana (Station), for failure to pay its fiscal year (FY) 2019, 2021, 2022, and 2023 regulatory fee debt owed to the Commission, totaling $6,754.80 as of August 7, 2026.[1] We also dismiss the pending application for renewal of the Station's license.[2] Licensee formerly held a license for DKANA(AM), Anaconda, Montana, and a construction permit for DK264CZ, Butte, Montana, and has unpaid regulatory fees those stations as well.[3]

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

[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 No. 0000129211 (filed Dec. 2, 2020) (Renewal Application).

[3] On August 21, 2023, Licensee surrendered its license for DKANA(AM) (Dismissal of Pending Renewal, Application File No. 0000129189) and construction permit for DK265CZ (Cancelled Construction Permit, CDBS File No. BNPFT-20180509ACK and Dismissal of Pending License, Application File No. 0000150066). Licensee remains responsible for these regulatory fees from FY 2023—which started on October 1, 2022, and ended on September 30, 2023—for these cancelled licenses. *Review of the Commission's Assessment and Collection of Regulatory Fees for Fiscal Year 20023*, *Review of the Commission's Assessment and Collection of Regulatory Fees*, MD Docket Nos. 23-159, 22-301, Second Report and Order, 38 FCC Rcd 8071, 8122, para. 139 (2023) ("Regulatory fees must be paid for all broadcast facility licenses granted on or before October 1, 2022.").

recover the costs of certain regulatory activities.[4] 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."[5] 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.[6]

3. Licensee failed to timely pay or only partially paid the Station's regulatory fees for FYs 2019, 2021, 2022 and 2023. For FY 2019, the deadline for paying regulatory fees was September 27, 2019;[7] for FY 2021, it was September 27, 2021;[8] for FY 2022, it was September 30, 2022; [9] and for FY 2023, it was September 20, 2023.[10]

4. Thus, for each delinquent regulatory fee, the Commission assessed the statutory late payment penalty required by the Act,[11] and sections 1.1157(c)(1), and 1.1164 of the Rules,[12] and interest, penalties, and administrative costs required by law.[13] The Commission sent demand letters to Licensee demanding payment of the delinquent regulatory fee debts.[14]

5. On April 24, 2026, 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

[4] 47 U.S.C. § 159(a)(1); 47 CFR §§ 1.1151-1.1167.

[5] 47 U.S.C. § 159a(c)(1); 47 CFR §§ 1.1157(c)(1), 1.1164.

[6] 47 U.S.C. § 159a(c)(4)(A); 47 CFR § 1.1164(f).

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

[8] *Regulatory Fee Filing Window is Extended to Monday, September 27, 2021*, Public Notice, DA 21-1201, 36 FCC Rcd 13907 (OMD September 24, 2021).

[9] *Fiscal Year 2022 Regulatory Fee Filing Deadline Extended to Friday, September 30, 2022, for All Regulatory Fee Payors*, Public Notice, DA 22-1023, 37 FCC Rcd 11154 (OMD September 28, 2022).

[10] *Payment Methods and Procedures for Fiscal Year 2023 Regulatory Fees*, Public Notice, DA 23-765, 38 FCC Rcd 7773 (OMD August 28, 2023).

[11] 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.

[12] 47 CFR §§ 1.1157(c)(1), 1.1164.

[13] 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).

[14] *See Letter from Federal Communications Commission to Southwest Montana Media LLC* (Nov. 1, 2019) (demand letter for KANA FY2019 regulatory fees); *See Letter from Federal Communications Commission to Southwest Montana Media LLC* (Nov. 1, 2019) (demand letter for KBOQ FY2019 regulatory fees); *See Letter from Federal Communications Commission to Southwest Montana Media LLC* (Oct. 22, 2021) (demand letter for KANA FY2021 regulatory fees); *See Letter from Federal Communications Commission to Southwest Montana Media LLC* (Oct. 22, 2021) (demand letter for KBOQ FY2021 regulatory fees); *Letter from Federal Communications Commission to Southwest Montana Media LLC* (Dec. 2, 2022) (demand letter for K264CZ FY2022 regulatory fees); *Letter from Federal Communications Commission to Southwest Montana Media LLC* (Sep. 21, 2023) (demand letter for KANA FY2023 regulatory fees); *Letter from Federal Communications Commission to Southwest Montana Media LLC* (Sep. 21, 2023) (demand letter for KBOQ FY2023 regulatory fees); *Letter from Federal Communications Commission to Southwest Montana Media LLC* (Sep. 21, 2024) (demand letter for K264CZ regulatory fees).

Bureau within sixty (60) calendar days[15] evidence of full payment of the regulatory fee debt owed, or show cause why the fees were inapplicable or should be waived or deferred.[16] 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.[17] 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 Station's license. The Bureau and OMD issued the *Order* on April 24, 2026, and it required Licensee to respond within 60 days.[18] The *Order* specified that failure to provide evidence of payment or show cause within the time specified could result in revocation of the Station's license.[19] Licensee did not file a written response to the *Order*.[20] 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.[21]

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

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[15] 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).

[16] *Southwest Montana Media, LLC,* Order to Pay or to Show Cause, DA 26-399 (MB/OMD Apr. 24, 2026) (*Order*). At that time, the Commission's records showed that Licensee had unpaid regulatory fees for KBOQ(FM) of $1,273.18 for FY 2019; $1,374.94 for FY 2021; and $812.50 for FY 2023; for DKANA(AM) of $833.93 for FY 2019; $859.69 for FY 2021; and $850.00 for FY 2023; for DK264CZ of $427.56 for FY 2022; and $325.00 for FY 2023, for a total of $6,754.80. *Id*. at para. 4.

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

[18] *Order* at para. 5.

[19] *Id*.

[20] 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 dated May 12, 2026, 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 Southwest Montana Media, LLC, Ted W. Austin, Jr., and its Counsel, Jeffrey L. Timmons, Esq. (Apr. 24, 2026, 12:11 PM EDT). As a courtesy, Commission staff advised Mr. Austin that no payment or response had been received following the 60-day period. Email from Alexander Sanjenis, FCC Media Bureau, to Southwest Montana Media, LLC (July 6, 2026, 10:42 AM EDT). Mr. Austin responded that we would pay the balance within a week. Email from Ted Austin to Alexander Sanjenis, FCC Media Bureau (July 14, 2026, 1:07 AM EDT). The Media Bureau staff afforded Mr. Austin until Friday, July 24, to make the required payment. Email from Alexander Sanjenis, FCC Media Bureau, to Southwest Montana Media, LLC (July 15, 2026, 11:09 AM EDT). No payment was received, and Commission staff sent Mr. Austin a final warning by email advising him that failure to pay regulatory fees or response to the *Order* would result in the revocation of this license. Email from Alexander Sanjenis, Audio Division, FCC Media Bureau, to Southwest Montana Media, LLC (July 28, 2026, 10:24 AM EDT).

[21] *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 license 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).

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,[22] the license of Southwest Montana Media, LLC, for Station KBOQ(FM), Lima, Montana, **IS HEREBY REVOKED**.

9. **IT IS FURTHER ORDERED** that all authority to operate the facility **IS TERMINATED** and any operation of the facility **is now unauthorized and must cease immediately**.[23]

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

11. **IT IS FURTHER ORDERED** that the renewal application filed on December 2, 2020 (Application File No. 0000129211), **IS 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 Southwest Montana Media, LLC, c/o Ted W. Austin, Jr., P.O. Box 17, Saint Anthony, ID 83445, and its Counsel, Jeffrey L. Timmons, Esq., 974 Branford Lane, NW, Lilburn, GA 30047.

FEDERAL COMMUNICATIONS COMMISSION

Alexander Sanjenis
Acting Chief, Media Bureau

Daniel Daly
Managing Director, Office of Managing Director

[22] 47 U.S.C. § 159a(c)(5); 47 CFR §§ 0.11, 0.61, 0.231, 0.283, 1.1164(f).

[23] **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.