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November 11, 2021

**VIA EMAIL**

Robert Baker, Assistant Chief, Policy Division, Media Bureau  
Gary Schonman, Special Counsel, Policy Division, Media Bureau  
Sima Nilsson, Attorney-Advisor, Policy Division, Media Bureau  
Federal Communications Commission  
45 L Street, NE  
Washington, DC 20554  
[Robert.Baker@fcc.gov](mailto:Robert.Baker@fcc.gov)  
[Gary.Schonman@fcc.gov](mailto:Gary.Schonman@fcc.gov)  
[Sima.Nilsson@fcc.gov](mailto:Sima.Nilsson@fcc.gov)

**RE: *In the Matter of Online Political Files of Bott Communications, Inc.*  
File No. POL-020121-5014253/ FRN 5014253  
First Compliance Report**

Dear Mr. Baker, Mr. Schonman, and Ms. Nilsson:

Bott Communications, Inc., licensee of KLTE (FM), Kirksville, MO (Facility ID No. 66670), by its undersigned counsel, hereby files this Compliance Report as set forth in the terms of the Consent Decree (DA 21-146) (“Consent Decree”) adopted and released on February 11, 2021 (“Effective Date”) in the above-referenced proceeding. Capitalized terms used herein are intended to have the same meaning as they have been given in the Consent Decree. Bott Communications, Inc.’s efforts to comply with the terms and conditions of the Consent Decree are set forth below.

1. **Compliance Officer.** On or before February 5, 2021, i.e., within thirty (30) calendar days after the Effective Date, Bott Communications, Inc. designated Eben Fowler, Director of Operations to serve as Compliance Officer, and to discharge the duties set forth in the Consent Decree.
2. **Compliance Manual.** The preparation of Bott Communications, Inc.’s Compliance Manual, drafted by licensee’s counsel and revised by licensee’s compliance officer, was completed on February 11, 2021 and approved that day by the company’s Vice President, Mr. Rich Bott.
3. **Compliance Training Program.** The preparation of Bott Communications Inc.’s Compliance Training Program by licensee’s compliance officer, was completed and all covered

employees and all sales representatives for the company were presented with training on or before February 26, 2021. On March 12, 2021, an additional follow up training session was conducted with all sales representatives, wherein excerpts from a video webinar that included FCC staff members Robert Baker, Assistant Chief, Policy Division, Media Bureau; Gary Schonman, Special Counsel, Policy Division, Media Bureau; and Sima Nilsson, Attorney-Advisor, Policy Division, Media Bureau, pertaining to political file rules and uploading deadlines were presented to further reinforce understanding of the FCC's political file rules.

Furthermore, Bott Communications, Inc. has adopted and implemented the following policies with respect to the Compliance Training Program: (i) any person who becomes a Covered Employee at any time after the initial Compliance Training Program shall be trained within thirty (30) calendar days after the date such person becomes a Covered Employee; (ii) Bott Communications, Inc. shall repeat compliance training for all Covered Employees on at least an annual basis; and (iii) Bott Communications, Inc. shall periodically review and revise the Compliance Training Program as necessary to ensure that it remains current, complete, and effective.

4. **Reporting Noncompliance.** As a condition under paragraph 16 of the Consent Decree, Bott Communications, Inc. has agreed that within ten (10) calendar days after discovery, it will report any noncompliance with: (i) the Political Record-keeping Statute and Rule; and (ii) the terms and conditions of this Consent Decree. Bott Communications, Inc. has implemented a policy that such reports include a detailed explanation of: (i) each instance of noncompliance; (ii) the steps that Bott Communications, Inc. has taken or will take to address such noncompliance – including a schedule on which such actions will be taken; and (iii) the steps that Bott Communications, Inc. has taken or will take to prevent the recurrence of any such noncompliance – including the schedule on which such preventative action will be taken. Bott Communications, Inc. has implemented a policy that any reports of noncompliance shall be sent to the Political Programming staff within ten (10) calendar days of discovery of such noncompliance: Robert Baker, Assistant Chief, Policy Division, Media Bureau, Federal Communications Commission, at [Robert.Baker@fcc.gov](mailto:Robert.Baker@fcc.gov); Gary Schonman, Special Counsel, Policy Division, Media Bureau, Federal Communications Commission, at [Gary.Schonman@fcc.gov](mailto:Gary.Schonman@fcc.gov); and Sima Nilsson, Attorney-Advisor, Policy Division Media Bureau, Federal Communications Commission, at [Sima.Nilsson@fcc.gov](mailto:Sima.Nilsson@fcc.gov).

To date, Bott Communications, Inc. has not needed to execute its noncompliance reporting obligations pursuant to Paragraph 16 of the Consent Decree.

Additionally, between May 2, 2021 and November 2, 2021 (the range of dates that apply to this compliance report and the consent decree) there were no requests received for the purchase of broadcast time by, or on behalf of, legally qualified candidates for public office or which communicated a message relating to any political matter of national importance. Therefore, you will find no entries on or between those dates in the attached compliance report spreadsheet. However, the compliance officer maintained an internal *KLTE(FM) Consent Decree Activity Tracking Spreadsheet*, which reflects that Bott Communications, Inc. fulfilled every

element of the Consent Decree in a timely fashion and has been fully prepared to properly document any such inquiries, had they been received during this off-election year. (Bott will submit a copy of the internal KLTE (FM) Consent Decree Activity Tracking Spreadsheet upon FCC request.) Additional efforts were made by the manager of KLTE (FM) to research any elections or issues that would have been active during the period. There were no campaigns or issues found that would have generated requests for advertising during the May 2, 2021 to November 2, 2021 period. There were, however, two requests made to KLTE staff for information about potential political advertising *prior to* the onset of the required reporting period start date of May 2, 2021, and documentation of these two requests were timely uploaded and are noted on the Compliance Report Spreadsheet.

The preparation and adoption of the Compliance Manual and training program resulting from the Consent Decree have provided Bott Communications, Inc. an opportunity to fine-tune and improve its procedures for processing and uploading materials related to any going-forward requests for the purchase of political and issue advertising. Bott Communications, Inc. intends to continue using the benefits obtained from this process to regularly provide training and orientation to any additional employees in the company who would have responsibility for any aspect of the political or issue advertising process.

5. **Summary of Compliance Efforts.** As was mentioned above, attached hereto is Bott Communications, Inc.'s Summary of Compliance Efforts, in the form of an Excel spreadsheet, which documents KLTE's efforts during the relevant reporting period (i.e., May 2, 2021 to November 2, 2021) to comply with the Political Record-keeping Statute and Rule and the Consent Decree.

The foregoing statements also serve as the explanation and basis for the Compliance Officer and President's Certifications enclosed with this Compliance Report. Should you have any questions concerning this Compliance Report, please contact the undersigned counsel for Bott Communications, Inc.

Respectfully submitted,



Kathleen Victory

*Counsel for Bott Communications, Inc.*

Enclosures

# **BOTT COMMUNICATIONS, INC.**

## **OFFICER'S CERTIFICATION**

I, **Richard P. Bott, II**, am the Vice President of Bott Communications, Inc. ("BCI"). I make this certification with respect to BCI's Compliance Report, which is being filed pursuant to the Consent Decree, by and between BCI and the Media Bureau of the Federal Communications Commission, adopted and released February 11, 2021 (DA 21-146/ File No. POL- 020121-5014253).

I hereby certify that: (i) I reviewed the Compliance Report; and (ii) based upon my knowledge, the Compliance Report: (a) does not contain any untrue statement of a material fact; (b) does not omit to state a material fact necessary to make the statements made therein; and (c) is not misleading with respect to the period covered by the Compliance Report.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 11, 2021.

By: \_\_\_\_\_



Richard P. Bott, II  
Vice President  
Bott Communications, Inc.

**BOTT COMMUNICATIONS, INC.**

**COMPLIANCE OFFICER CERTIFICATION**

I, **Eben Fowler**, have been appointed the Compliance Officer of Bott Communications, Inc. (“BCI”) with respect to BCI’s compliance with: (1) the Political File Record-keeping Statute and Rule (47 U.S.C. § 313(e)(3), and 47 C.F.R. § 73.1943(c)); and (2) the Consent Decree, by and between BCI the Media Bureau of the Federal Communications Commission, adopted and released February 11, 2021 (DA 21-146/File No. POL- 20121-5014253) (“Consent Decree”). Accordingly, I have the requisite authority to execute this certification as an agent of and on behalf of BCI.

I have personal knowledge of the statements set forth in BCI’s Compliance Report, agree that those statements are true and correct, and adopt those statements as my own and as the basis for this certification.

I have personal knowledge that BCI: (i) has established and implemented the Compliance Plan; (ii) has utilized the Operating Procedures since the implementation of the Compliance Plan; and (iii) am not aware of any instances of noncompliance with the terms and conditions of this Consent Decree.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 11, 2021.

By:



Eben Fowler  
Compliance Officer  
Bott Communicaitons, Inc.