

**Federal Communications Commission**

---

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
CSC Acquisition –MA Inc.	)	
PSID 008370	)	File No. EB-08-NY-0271
	)	
Westchester, New York	)	NOV No. V200832380046
	)	

**NOTICE OF VIOLATION**

**Released: July 28, 2008**

By the District Director, New York Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation (“Notice”) issued pursuant to Section 1.89 of the Commission’s Rules<sup>1</sup> to CSC Acquisition –MA Inc. (“Cablevision”), operator of a cable system serving Port Chester and Harrison, New York (Physical System ID 008370).
2. On July 16, 2008, an agent of the Commission’s New York Office inspected Cablevision’s cable system, Physical System ID 008370, and observed the following violations:
  - a. 47 C.F.R. § 11.61(b): “Entries [of EAS tests] shall be made in EAS Participant records as specified in §§ 11.35(a) and 11.54(b)(13). § 11.35(a) states “EAS Participants must determine the cause of any failure to receive the required tests or activations specified in § 11.61(a)(1) and (a)(2). Appropriate entries indicating reasons why any tests were not received must be made in . . . cable system records as specified in Sec. Sec. 76.1700, 76.1708, and 76.1711 of this chapter.” During the inspection, the agent observed that for the months of April and June 2008, there were no entries in the EAS logs nor any EAS printouts of Required Monthly Tests received from station WFAS, one of Cablevision’s two monitoring sources. There were no log entries indicating the reasons why these tests were not received.
  - b. 47 C.F.R. § 11.61(a)(2)(i)(B): “Analog cable systems and digital cable systems with 5,000 or more subscribers per headend and wireless cable systems with 5,000 or more subscribers must conduct tests of the EAS Header and EOM Codes at least once a week at random days and times on all programmed channels.” During the inspection, the agent observed that the required weekly tests were not conducted on random days - 12 of 14 weekly tests were conducted on a Thursday.
  - c. 47 C.F.R. § 76.1702(a): “Every employment unit with six or more full-time

---

<sup>1</sup> 47 C.F.R. § 1.89.

**Federal Communications Commission**

---

employees shall maintain for public inspection a file containing copies of all EEO program annual reports filed with the Commission pursuant to Section 76.77 and the equal employment opportunity program information described in paragraph (b) of this section. These materials shall be placed in the unit's public inspection file annually by the date that the unit's EEO program annual report is due to be filed and shall be retained for a period of five years. The file shall be maintained at the central office and at every location with six or more full-time employees.” During the inspection, the agent observed that Cablevision’s public inspection file did not contain the 2005 EEO program annual report (Form 396-C).

- d. 47 C.F.R. § 76.1702(b): The following equal employment opportunity program information shall be included annually in the unit's public file, and on the unit's web site, if it has one, at the time of the filing of its FCC Form 396-C: (1) A list of all full-time vacancies filled by the multichannel video programming distributor employment unit during the preceding year, identified by job title; (2) For each such vacancy, the recruitment source(s) utilized to fill the vacancy (including, if applicable, organizations entitled to notification pursuant to § 76.75(b)(1)(ii) of this section, which should be separately identified), identified by name, address, contact person and telephone number; (3) The recruitment source that referred the hiree for each full-time vacancy during the preceding year; (4) Data reflecting the total number of persons interviewed for full-time vacancies during the preceding year and the total number of interviewees referred by each recruitment source utilized in connection with such vacancies; and (5) A list and brief description of the initiatives undertaken pursuant to § 76.75(b)(2) during the preceding year, if applicable. The agent observed that Cablevision’s public file did not contain the required annual EEO information for the years 2003, 2005, 2006, and 2007.
3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Cablevision must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Cablevision. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
New York Office  
201 Varick Street, Suite 1151  
New York, NY 10014

4. This Notice shall be sent to Cablevision at its address of record.

---

<sup>2</sup> 47 U.S.C. § 403.

**Federal Communications Commission**

---

5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

Daniel W. Noel  
District Director  
New York District Office  
Northeast Region  
Enforcement Bureau

---

<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*