

Federal Communications Commission

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

In the Matter of)	
)	
NPG Cable, Inc.)	
)	File No. EB-08-SF-0258
Physical System ID # 004744)	
Mammoth Lakes, California)	
)	NOV No. V200832960009

NOTICE OF VIOLATION

Released: July 28, 2008

By the District Director, San Francisco Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to NPG Cable, Inc., operator of a cable system in Mammoth Lakes, California.

2. On June 20, 2008, an agent of the Enforcement Bureau's San Francisco Office inspected NPG Cable, Inc.'s emergency alert system ("EAS"), located at 123 Commerce Drive, Suite B6, Mammoth Lakes, California, and observed the following violation:

- a. 47 C.F.R. § 11.61(b): "Entries shall be made in EAS Participant records, as specified in Sections 11.35(a) and 11.54(b)(13)." NPG Cable, Inc.'s EAS records did not indicate that the required monthly test ("RMT") for the months of January, February, March, and April of 2008 were conducted. There were no notes recorded as to why the cable system did not receive the required weekly test ("RWT") or the required monthly tests ("RMT") from the local primary (LP-1) station, KIBS(FM) - Bishop, California, from January, 2008 to the present. Further, there were no records of EAS equipment inspections and if those inspections revealed any equipment malfunctions.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, NPG Cable, Inc. must submit a written statement concerning this matter within 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 NPG Cable, Inc. 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:

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 403.

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Federal Communications Commission
San Francisco District Office
5653 Stoneridge Drive, Suite 105
San Francisco, CA 94588-8543

4. This Notice shall be sent to by Certified Mail/Return Receipt Requested and regular mail to NPG Cable, Inc., at its address of record.

5. The Privacy Act of 1974³ 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.⁴

FEDERAL COMMUNICATIONS COMMISSION

Thomas N. Van Stavern
District Director
San Francisco District Office
Western Region
Enforcement Bureau

cc: NPG Cable, Inc.
123 Commerce Dr. Ste B6
P.O. Box 396
Mammoth Lakes, CA 93546

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*