

Federal Communications Commission

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

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| In the Matter of |) | |
| |) | |
| Universal Broadcasting of NY, Inc. |) | File No. EB-08-NY-0289 |
| Licensee of Radio Station WVNJ |) | |
| Facility ID # 68956 |) | NOV No. V200832380049 |
| Oakland, New Jersey |) | |
| |) | |

NOTICE OF VIOLATION

Released: August 12, 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 Rules¹ to Universal Broadcasting of NY, Inc. ("Universal"), licensee of radio station WVNJ in Oakland, New Jersey.
2. On July 30, 2008, an agent of the Enforcement Bureau's New York Office inspected station WVNJ located in Oakland, New Jersey, and observed the following violation:

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)." At the time of inspection, the broadcast station records contained no entries documenting the reception of the weekly tests from LP-1 WFME, 94.7 MHz, for the periods from April 15, 2008 through May 3, 2008 and from July 10, 2008 through July 28, 2008. The broadcast station records contained no reasons why weekly tests were not received.
3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Universal, 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 the licensee. 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. § 308(b).

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New York Office
201 Varick Street
New York, New York 10014

4. This Notice shall be sent to Universal Broadcasting of NY, 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

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

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*