

Federal Communications Commission

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

In the Matter of)	
)	
Cablevision Systems Westchester Corporation)	File No. EB-08-NY-0288
Physical System ID (PSID) # 008368)	
Westchester, New York)	NOV No. V200832380050

NOTICE OF VIOLATION

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 Rules ("Rules"),¹ to Cablevision Systems Westchester Corporation ("Cablevision") operator of a cable system serving Port Chester and Harrison, New York.

2. On July 16, 2008, an agent of the Commission's New York Office inspected Cablevision's cable system located in Westchester, New York, and observed the following violations:
 - a. 47 C.F.R. § 11.52(d): "Broadcast stations and cable systems and wireless cable systems must monitor two EAS sources. The monitoring assignments of each broadcast station and cable system and wireless cable system are specified in the State EAS Plan and FCC Mapbook..." A review of the station's EAS logs showed that the station was not monitoring a second source (WFAS – 103.9 MHz) for the period between May 1, 2008 and July 11, 2008.

 - b. 47 C.F.R. § 11.61(b): "Entries shall be made in EAS Participant records, as specified in §§ 11.35(a) and 11.54(b)(13)." During the inspection, the agent observed that there were no entries in the EAS logs showing that the required weekly and monthly tests were received and transmitted for the period between May 1, 2008 and July 11, 2008.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² 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

¹47 C.F.R. § 1.89.

² 47 U.S.C. § 403.

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, New York 10014

4. This Notice shall be sent to Cablevision 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 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.*