



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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## ENFORCEMENT BUREAU FIELD OPERATIONS LIST OF ACTIONS TAKEN

The following is a list of actions taken by the Enforcement Bureau's Field Offices during the period September 1, to September 30, 2001. During this period, the Field Offices issued two (2) Notices of Apparent Liability ("NALs"), 76 Notices of Violation ("NOVs") and nine (9) Citation for violations of the Communications Act of 1934, as amended, 47 U.S.C. § 151, *et seq.*, and/or the FCC's Rules. **This list is provided for information purposes only and does not provide parties with additional rights. Parties wishing to make a payment or file a response to a NAL or to file a response to a NOV or Citation must do so in accordance with the instructions and by the deadline set forth in the NAL, NOV or Citation.**

### NOTICES OF APPARENT LIABILITY

#### Communications Act

- 47 U.S.C. § 301 – Unauthorized Operation
  - ◆ *David Edwin Merrell, Wichita Falls, TX.* \$10,000 NAL. Dallas, TX District Office (9/10/01).

#### 47 C.F.R. Part 73 – Radio Broadcast Services

- 47 C.F.R. § 73.1225 – Station Inspections By FCC
  - ◆ *Fifth Avenue Broadcasting Co., Inc., WMCI(AM), Huntington, WV.* \$20,000 NAL. Other violations: 47 C.F.R. §§ 73.1350 (Transmission System Operation), 73.1690 (Modification of Transmission Systems) and 73.3526 (Local Public Inspection File for Commercial Stations). Detroit, MI District Office (9/21/01).

### NOTICES OF VIOLATION

#### Communications Act

- 47 U.S.C. § 301 – Unauthorized Operation
  - ◆ *Stantec Consulting, Inc., Denver, CO.* Other violations: 47 C.F.R. § 1.947 (Modification of License), 90.173 (Policies Governing the Assignment of Frequencies),

- 90.233 (Base/Mobile Non Voice Operations), and 90.403 (General Operating Requirements). Denver, CO District Office (9/17/01).
- ◆ ***Kanab Lions TV, Kanab, UT (Facility ID 33307)***. Other violation: 47 C.F.R. § 74.15 (Station License Period). Denver, CO District Office (9/18/01)
  - ◆ ***Kanab Lions TV, Kanab, UT (Facility ID 33306)***. Other violation: 47 C.F.R. § 74.15 (Station License Period). Denver, CO District Office (9/18/01).
  - ◆ ***Kanab Lions TV, Kanab, UT (Facility ID 33304)***. Other violation: 47 C.F.R. § 74.15 (Station License Period). Denver, CO District Office (9/18/01).
  - ◆ ***Western Kane County Special District #1, Kanab, UT (Facility ID 71843)***. Other violation: 47 C.F.R. § 74.15 (Station License Period). Denver, CO District Office (9/18/01).
  - ◆ ***Western Kane County Special District #1, Kanab, UT (Facility ID 71850)***. Other violation: 47 C.F.R. § 74.15 (Station License Period). Denver, CO District Office (9/18/01).

#### **47 C.F.R. Part 1 – Practice and Procedure**

- 47 C.F.R. § 1.903 – Authorization Required
  - ◆ ***Town of Oyster Bay Public Works Department, KBL758, Svosset, NY***. New York, NY District Office (9/20/01).

#### **47 C.F.R. Part 11 – Emergency Alert System**

- 47 C.F.R. § 11.15 – EAS Operating Handbook
  - ◆ ***Margate Communications, Atlantic City, NJ***. Other violation: 47 C.F.R. § 11.52 (EAS Code and Attention Signal Monitoring Requirements). Philadelphia, PA District Office (9/21/01).
  - ◆ ***Creative Educational Media Corp., Inc., Branson, MO***. Other violation: 47 C.F.R. § 11.52 (EAS Code and Attention Signal Monitoring Requirements). Kansas City, MO District Office (9/24/01).
  - ◆ ***Vera R. Baldwin, Inc., WDLW(AM), Fairfield, OH***. Other violation: 47 C.F.R. § 11.52 (EAS Code and Attention Signal Monitoring Requirements). Detroit, MI District Office (9/28/01).
- 47 C.F.R. § 11.35 – Equipment Operational Readiness
  - ◆ ***EBC, Inc., McCook, KS***. Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures), 17.47 (Inspection of Antenna Structure Lights and Associated Control Equipment), 17.48 (Notification of Extinguishment or Improper Functioning of Lights), 17.49 (Recording of Antenna Structure Light Inspections in the Owner Record), 17.56 (Maintenance of Lighting Equipment), 73.1560 (Operating Power and Mode Tolerances) and 73.3526 (Local Public Inspection File for Commercial Stations). Kansas City, MO District Office (9/12/01).
  - ◆ ***Promo Radio Corp., KMPG(AM), Hollister, CA***. Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures), 17.4(g) (Posting of Antenna Structure Registration Number), 73.1215 (Specifications for Indicating Instruments), 73.1560 (Operating Power and Mode Tolerances), 73.1590 (Equipment Performance Measurements), 73.1870 (Chief Operator)

- and 73.3526 (Local Public Inspection File for Commercial Stations). San Francisco, CA District Office (9/12/01).
- ◆ **Keene of Iowa, Inc., Independence, IA.** Other violation: 47 C.F.R. § 73.3526 (Local Public Inspection File for Commercial Stations). Kansas City, MO District Office (9/17/01).
  - ◆ **Adelphia Cable System, Danville, VA.** Other violation: 47 C.F.R. § 11.61 (Tests of EAS Procedures). Norfolk, VA Resident Agent Office (9/21/01).
  - ◆ **AGM-Birmingham, LLC, KRQK-FM, Lompoc, CA.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures) and 73.1870 (Chief Operator). Los Angeles, CA District Office (9/24/01).
  - ◆ **AGM-Birmingham, LLC, KPAT-FM, Orcutt, CA.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures) and 73.1870 (Chief Operator). Los Angeles, CA District Office (9/24/01).
  - ◆ **AGM-Birmingham, LLC, KBOX-FM, Lompoc, CA.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures) and 73.1870 (Chief Operator). Los Angeles, CA District Office (9/24/01).
  - ◆ **Clear Channel Broadcasting Licenses, Inc., KSNI-FM, Santa Maria, CA.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures) and 73.1870 (Chief Operator). Los Angeles, CA District Office (9/24/01).
  - ◆ **Clear Channel Broadcasting Licenses, Inc., KSMA-AM, Santa Maria, CA.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures) and 73.1870 (Chief Operator). Los Angeles, CA District Office (9/24/01).
  - ◆ **Clear Channel Broadcasting Licenses, Inc., KSMY-FM, Lompoc, CA.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures) and 73.1870 (Chief Operator). Los Angeles, CA District Office (9/24/01).
  - ◆ **Clear Channel Broadcasting Licenses, Inc., KXFM, Santa Maria, CA.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures) and 73.1870 (Chief Operator). Los Angeles, CA District Office (9/24/01).
  - ◆ **GTM San Luis Obispo, LLC, KLRM-FM, San Luis Obispo, CA.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures) and 73.1870 (Chief Operator). Los Angeles, CA District Office (9/24/01).
  - ◆ **Lazer Broadcasting Corp., KLMM-FM, Morro Bay, CA.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures) and 73.1870 (Chief Operator). Los Angeles, CA District Office (9/24/01).
  - ◆ **Radio Representatives, Inc., KGDP-AM, Orcutt, CA.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures) and 73.1870 (Chief Operator). Los Angeles, CA District Office (9/24/01).
  - ◆ **Davis Broadcasting Inc., of Columbus, Columbus, GA.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures), 17.4(a) (Antenna Structure Registration), 17.4(g) (Posting of Antenna Structure Registration Number), 17.48 (Notification of Extinguishment or Improper Functioning of Lights), 73.1230 (Posting of Station License), 73.1745 (Unauthorized Operation), 73.1820 (Station Log) and 73.1870 (Chief Operator). Atlanta, GA District Office (9/26/01).
  - ◆ **New World Broadcasting Company, Inc., KCLF(AM), New Roads, LA.** Other violation: 47 C.F.R. § 73.1400 (Transmission System Monitoring and Control). New Orleans, LA District Office (9/27/01).
- 47 C.F.R. § 11.51 – EAS Code and Attention Signal Transmission Requirements

- ◆ **Honolulu Family Television, Ltd., KIKU, Los Angeles, CA.** Honolulu, HI Resident Agent Office (9/5/01).
- 47 C.F.R. § 11.52 – EAS Code and Attention Signal Monitoring Requirements
  - ◆ **Clear Channel Broadcasting Licenses, Inc., San Antonio, TX.** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures), 73.1800 (General Requirements Related to the Station Log) and 73.1870 (Chief Operator). Dallas, TX District Office (9/24/01).
- 47 C.F.R. § 11.61 – Tests of EAS Procedures
  - ◆ **Capstar TX Limited Partnership, KHVH, San Antonio, TX.** Honolulu, HI Resident Agent Office (9/5/01).
  - ◆ **Hawaii Public Radio, KIPO-FM, Honolulu, HI.** Honolulu, HI Resident Agent Office (9/5/01).
  - ◆ **New Wave Broadcasting, L.P., KDDB, Honolulu, HI.** Honolulu, HI Resident Agent Office (9/5/01).
  - ◆ **Cumulus Licensing Corp., Atlanta, GA.** Other violations: 47 C.F.R. §§ 73.1800 (General Requirements Related to the Station Log), 73.1820 (Station Log) and 73.1870 (Chief Operator). Dallas, TX District Office (9/25/01).

#### **47 C.F.R. Part 17 – Construction, Marking & Lighting of Antenna Structures**

- 47 C.F.R. § 17.4(a) – Antenna Structure Registration
  - ◆ **Larry Birch d.b.a. Birches Communications, Mays Landing, NJ.** Other violations: 47 C.F.R. § 17.7 (Antenna Structures Requiring Notification to the FAA) and 17.21 (Painting and Lighting, When Required). Philadelphia, PA District Office (9/12/01).
  - ◆ **Bresnan Telecommunications Company, LLC.** St. Paul, MN Resident Agent Office (9/28/01).
- 47 C.F.R. § 17.4(g) – Posting of Antenna Structure Registration Numbers
  - ◆ **Pinnacle Towers Inc, Sarasota, FL.** Chicago, IL District Office (9/6/01).
  - ◆ **NStar Electric, W. Yarmouth, MA.** Other violations: 47 C.F.R. §§ 17.6 (Responsibility of Commission licensees and permittees) and 17.50 (Cleaning and Repainting). Boston, MA District Office (9/7/01).
  - ◆ **TeleCorp., Dyersville, IA.** Kansas City, MO District Office (9/17/01).
  - ◆ **Gore-Overgaard Broadcasting, Inc., Vero Beach, FL.** Los Angeles, CA District Office (9/19/01).
  - ◆ **KNTV License, Inc., San Jose, CA.** San Francisco, CA District Office (9/19/01).
  - ◆ **Las Vegas Radio Company, Inc., Elgin, IL.** Other violation: 47 C.F.R. § 17.50 (Cleaning and Repainting). Los Angeles, CA District Office (9/26/01).
- 47 C.F.R. § 17.23 – Specifications for Painting and Lighting of Antenna Structures
  - ◆ **Maddam Aerials Corp, Appleton, WI.** Other violation: 47 C.F.R. § 17.50 (Cleaning and Repainting). Chicago, IL District Office (9/6/01).

- ◆ ***Penasco Valley Telephone, Hagerman, NM (structure #1005331)***. Other violation: 47 C.F.R. § 17.50 (Cleaning and Repainting). Denver, CO District Office (9/18/01).
- 47 C.F.R. § 17.48 – Notification of Extinguishment or Improper Functioning of Lights
  - ◆ ***Spectrum Resource Towers, L.P., Falls Church, VA***. Chicago, IL District Office (9/5/01).
  - ◆ ***AAT Communications, Edison, NJ***. Chicago, IL District Office (9/6/01).
  - ◆ ***AAA Entertainment Licensing, LLC, Farmington, IL***. Other violation: 47 C.F.R. §17.57 (Report and Radio Transmitting Antenna Construction, Alteration and/or Removal). Chicago, IL District Office (9/6/01).
  - ◆ ***Wisconsin Power & Light Company, Madison, WI***. Chicago, IL District Office (9/10/01).
  - ◆ ***MCI WORLDCOM Network Services, Inc., Richardson, TX***. Chicago, IL District Office (9/10/01).
  - ◆ ***Centennial Michiana License Company LLC, Neptune, NJ***. Chicago, IL District Office (9/10/01).
  - ◆ ***Richland Telecom Towers, State Center, IA***. Kansas City, MO District Office (9/19/01).
  - ◆ ***Dave Communications, Inc., Ft. Pierce, FL***. Tampa, FL District Office (9/24/01).
- 47 C.F.R. § 17.50 – Cleaning and Repainting
  - ◆ ***Charter Communications Inc, Fond du Lac, WI***. Chicago, IL District Office (9/6/01).
  - ◆ ***Cumulus Licensing Corporation, Atlanta, GA***. Chicago, IL District Office (9/6/01).
  - ◆ ***Missouri RSA 4 Partnership dba Alltel, Santa Rosa, MO***. Kansas City, MO District Office (9/17/01).
  - ◆ ***Missouri RSA 4 Partnership dba Alltel, Ridgeway, MO***. Kansas City, MO District Office (9/17/01).
  - ◆ ***Cumulus Licensing Corp., Atlanta, GA, WBMQ, Savannah, GA***. Other violation: 47 C.F.R. § 17.57 (Report of Radio Transmitting Antenna Construction, Alteration, and/or Removal). Atlanta, GA District Office (9/19/01).
  - ◆ ***Lotus Broadcasting Corp., Los Angeles, CA***. Los Angeles, CA District Office (9/19/01).
  - ◆ ***Big River Radio, inc., WOKU, Hurricane, WV***. Columbia, MD District Office (9/20/01).
- 47 C.F.R. § 17.57 – Report of Radio Transmitting Antenna Construction, Alteration, and/or Removal
  - ◆ ***Capstar TX Limited Partnership, San Antonio, TX, WCHY, Savannah, GA***. Atlanta, GA District Office (9/19/01).

#### **47 C.F.R. Part 73 – Radio Broadcast Services**

- 47 C.F.R. § 73.49 – AM Transmission System Fencing Requirements
  - ◆ ***Cumulus Licensing Corporation, Atlanta, GA***. Chicago, IL District Office (9/6/01).
  - ◆ ***Cumulus Licensing Corp., Savannah, GA, WJLG***. Atlanta, GA District Office (9/19/01).

- ◆ *WHGM Radio, Inc., Memphis, TN, WHGM, Savannah, GA.* Atlanta, GA District Office (9/19/01).
- ◆ *Boundary Waters Broadcasters, Inc..* St. Paul, MN Resident Agent Office (9/28/01).
- 47 C.F.R. § 73.258 – Indicating Instruments
  - ◆ *Lower Cape Communications, Inc., WOMR, Provincetown, MA.* Boston, MA District Office (9/18/01).
- 47 C.F.R. § 73.1745 – Unauthorized Operation
  - ◆ *Nievesquez Productions, Inc., WPRX, New Britain, CT.* Boston, MA District Office (9/13/01).

#### **47 C.F.R. Part 76 – Multichannel Video and Cable Television Service**

- 47 C.F.R. § 76.605 – Technical Standards
  - ◆ *Charter Communications, Danville, VT.* Boston, MA District Office (9/5/01).
  - ◆ *National Cable, Columbus, OH.* Kansas City, MO District Office (9/6/01).
  - ◆ *Blue Mountain TV Cable Co., Prairie, Oregon.* Portland, OR Resident Agent Office (9/13/01).
  - ◆ *Comcast Cablevision of Georgia/South Carolina, Philadelphia, PA.* Atlanta, GA District Office (9/19/01).
  - ◆ *Cable and Communications Corp., Circle, Montana.* Seattle, WA District Office (9/21/01).
  - ◆ *Charter Communications, Hammond, LA.* Other violation: 47 C.F.R. § 76.1711 (Emergency Alert System (EAS) Tests and Activation). New Orleans, LA District Office (9/27/01).

#### **47 C.F.R. Part 80 – Stations in the Maritime Services**

- 47 C.F.R. § 80.89 – Unauthorized Transmissions
  - ◆ *Charters Northwest, Inc., Friday Harbor, WA.* Seattle, WA District Office (9/21/01).
  - ◆ *American Marine Corp., Terminal Island, CA.* Honolulu, HI Resident Agent Office (9/28/01).
- 47 C.F.R. § 80.927 – Antenna Radio Frequency Indicator
  - ◆ *Crusin 1, Sea Isle City, NJ.* Philadelphia, PA District Office (9/20/01).

#### **47 C.F.R. Part 90 –Private Land Mobile Radio Services**

- 47 C.F.R. § 90.135 – Modification of License
  - ◆ *Taylor Road Supply Co., Inc., Westerville, OH.* Detroit, MI District Office (9/21/01).
- 47 C.F.R. § 90.403 – General Operating Requirements

- ◆ *Entranco Engineers, Inc., Bellevue, WA.* Seattle, WA District Office (9/21/01).

#### **47 C.F.R. Part 95 – Personal Radio Services**

- 47 C.F.R. § 95.411 – (CB Rule 11) May I Use Power Amplifiers?
  - ◆ *Orlin Keith Watson, Patterson, NC.* Norfolk, VA Resident Agent Office (9/6/01).

#### **CITATIONS**

##### **Communications Act**

- 47 U.S.C. § 302 – Devices Which Interfere With Radio Reception
  - ◆ *Counterspy Shop, New York, NY.* New York, NY District Office (9/4/01).
  - ◆ *ESI Cases and Accessories, Brooklyn, NY.* New York, NY District Office (9/4/01).
  - ◆ *K & T Photo Electronics, Flushing, NY.* New York, NY District Office (9/4/01).
  - ◆ *Jade Mountain, Boulder, CO.* Denver, CO District Office (9/5/01).
  - ◆ *Deer 1 Electronics, Tampa, FL.* Tampa, FL District Office (9/25/01).

#### **47 C.F.R. Part 2 – Frequency Allocation and Radio Treaty Matters; General Rules and Regulations**

- 47 C.F.R. § 2.803 – Marketing of Radio Frequency Devices Prior to Equipment Authorization
  - ◆ *TRUCK-N-TRAVEL, Coburg, Oregon.* Other violation: 47 C.F.R. § 15.101(Equipment Authorization of Unintentional Radiators). Portland, OR Resident Agent Office (9/17/01).

#### **47 C.F.R. Part 15 – Radio Frequency Devices**

- 47 C.F.R. § 15.5 – General Conditions of Operation
  - ◆ *Impact Video, Las Vegas, Nevada.* Seattle, WA District Office (9/28/01).
- 47 C.F.R. § 15.109 – Radiated Emission Limits
  - ◆ *University of Arkansas, Fayetteville, AR.* New Orleans, LA District Office (9/14/01).

#### **47 C.F.R. Part 18 – Industrial, Scientific and Medical Equipment**

- 47 C.F.R. § 18.111 - General Operating Conditions
  - ◆ *Ron's Optical Case Company, Providence, RR.* Boston, MA District Office (9/25/01).