



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA 00-2136
September 19, 2000

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 August 1, to August 31, 2000. During this period, the Field Offices issued three (3) Notices of Apparent Liability ("NALs"), 113 Notices of Violation ("NOVs") and two (2) Citations 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

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

- 47 C.F.R. § 11.35 – Equipment Operations Readiness
 - ◆ *Cox Communications, Inc., El Dorado, AR. \$4,000 NAL.* New Orleans, LA District Office (8/8/00).

47 C.F.R. Part 17 – Construction, Marking and Lighting of Antenna Structures

- 47 C.F.R. § 17.4 – Antenna Structure Registration
 - ◆ *Church Point Ministries, Baton Rouge, LA. \$15,000 NAL.* Other violations: 47 C.F.R. §§ 73.49 (AM Transmission System Fencing Requirements) and 73.3526 (Local Public Inspection File For Commercial Stations). New Orleans, LA District Office (8/21/00).

47 C.F.R. Part 80 - Safety and Special Radio Services

- 47 C.F.R. § 80.373 – Private Communications Frequencies

- ◆ ***GNOTS Reserve, Inc., Destrehan, LA. \$4,000 NAL.*** New Orleans, LA District Office (8/23/00).

NOTICES OF VIOLATION

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

- **47 C.F.R. § 1.89 – Notice of Violation**
 - ◆ ***Christian Broadcasting Company, Norfolk, VA.*** New Orleans, LA District Office (8/31/00).
- **47 C.F.R. § 1.903 – Authorization Required**
 - ◆ ***Dewayne Nored dba Bowie Hydrostatic Testing, WNHE531, Bowie, TX.*** Dallas, TX District Office. (8/16/00).
 - ◆ ***Energy Source C., KDN362, Bowie, TX.*** Other violations: 47 C.F.R. §§ 17.4 (Antenna Structure Registration) and 17.57 (Report of Radio Transmitting Antenna Construction, Alteration, and/or Renewal). Dallas, TX District Office (8/16/00).
 - ◆ ***Tim Hall Inc., WPMW894, Bowie, TX.*** Other violations: 47 C.F.R. §§ 17.4 (Antenna Structure Registration) and 17.57 (Report of Radio Transmitting Antenna Construction, Alteration, and/or Renewal). Dallas, TX District Office (8/16/00).
 - ◆ ***City of Irving, KNAK367, Irving, TX.*** Dallas, TX District Office (8/18/00).
 - ◆ ***Atlanta Gas Light Company, Atlanta, GA.*** Other violations: 47 C.F.R. §§ 90.233 (Base/Mobile Non-Voice Operations) and 90.403 (General Operating Requirements). Atlanta, GA District Office (8/29/00).

47 C.F.R. Part 11 - Emergency Alert System

- **47 C.F.R. § 11.15 – EAS Operating Handbook**
 - ◆ ***Cherokee Broadcasting Company, Inc.*** Other violations: 47 C.F.R. §§ 11.32 (EAS Encoder), 11.33 (EAS Decoder), 11.35 (Equipment Operational Readiness), 11.52 (EAS Code and Attention Signal Monitoring Requirements), 11.61 (Tests of EAS Procedures), 17.4 (Antenna Structure Registration), 17.50 (Cleaning and Repainting), and 73.1230 (Posting of Station License). Norfolk, VA Resident Agent Office (8/01/00).
 - ◆ ***AT&T Broadband, Des Moines, IA.*** Other violations: 47 C.F.R. §§ 11.52 (EAS Code and Attention Signal Monitoring Requirements), 11.54 (EAS Operation During National Level Emergency) and 11.61 (Tests of EAS Procedures). Kansas City, MO District Office (8/23/00).
- **47 C.F.R. § 11.32 – EAS Encoder**

- ◆ ***Lenora Alexander, KAGM(FM), Strasburg, Colorado.*** Other violations: 47 C.F.R. §§ 11.35 (Equipment Operations Readiness), 11.52 (EAS Code and Attention Signal Monitoring Requirements), 11.61 (Tests of EAS Procedures), 17.4 (Antenna Structure Requirements), 73.1125 (Station Main Studio Location), 73.1225 (Station Inspection by FCC), 73.1350 (Transmission System Operation), 73.1400 (Transmission System Monitoring and Control), 73.1545 (Carrier Frequency Departure Tolerance), 73.1580 (Transmission System Inspections), 73.1590 (Equipment Performance Measurements), 73.1820 (Station Log), 73.1870 (Chief Operators), and 73.3526 (Local Public Inspection File For Commercial Stations). Denver, CO District Office (8/2/00).
- 47 C.F.R. § 11.35 – Equipment Operations Readiness
 - ◆ ***Cumulus Licensing Corporation.*** Other violation: 47 C.F.R. § 11.61 (Tests of EAS Procedures). Atlanta, GA District Office (8/02/00)
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 - ◆ ***Cumulus Licensing Corporation.*** 47 C.F.R. § 11.61 (Tests of EAS Procedures). Atlanta, GA District Office (8/02/00).
 - ◆ ***Bronco Broadcasting Co., Inc. (KIRL), St. Charles, MO.*** Other violations: 47 C.F.R. §§ 11.52 (EAS Code and Attention Signal Monitoring Requirements), 73.61 (AM Directional Antenna Field Strength Measurements), 73.62 (Directional Antenna System Tolerances), 73.1230 (Posting of Station License), 73.1350 (Transmission System Operation), 73.1800 (General Requirements Related to the Station Log), 73.1835 (Special Technical Records), 73.1870 (Chief Operators), 73.3526 (Local Public Inspection File For Commercial Stations), and the terms of the KIRL station authorization. Kansas City, MO District Office (8/10/00).
 - ◆ ***EZ ST. LOUIS, Inc., KEZN(FM), Palm Desert, CA.*** Other violation: 47 C.F.R. § 11.61 (Tests of EAS Procedures). San Diego, CA District Office (8/10/00).
 - ◆ ***Multimedia Holdings Corp., KPNX(TV), Phoenix, AZ.*** Other violation: 47 C.F.R. § 11.61 (Tests of EAS Procedures). San Diego, CA District Office (8/10/00).
 - ◆ ***KTVK, Inc., KTVK(TV), Phoenix, AZ.*** Other violation: 47 C.F.R. § 11.61 (Tests of EAS Procedures). San Diego, CA District Office (8/10/00).
 - ◆ ***KASW-TV, Inc., KASW-TV, Phoenix, AZ.*** Other violation: 47 C.F.R. § 11.61 (Tests of EAS Procedures). San Diego, CA District Office (8/10/00).

- ◆ ***CRC Broadcasting Company, Inc., KFNN(AM), Phoenix, AZ.*** Other violation: 47 C.F.R. § 11.61 (Tests of EAS Procedures). San Diego, CA District Office (8/10/00).
- ◆ ***World Revivals Inc., Elkton, MD.*** Other violation: 47 C.F.R. § 73.3526 (Local Public Inspection File For Commercial Stations). Columbia, MD District Office (8/22/00).
- **47 C.F.R. § 11.51 – EAS Code and Attention Signal Transmission Requirements**
 - ◆ ***Lin Television of Puerto Rico, LLC.*** Other violation: 47 C.F.R. § 73.3526 (Local Public Inspection File For Commercial Stations). San Juan, PR Resident Agent Office (8/15/00).
- **47 C.F.R. § 11.52 – EAS Code and Attention Signal Monitoring Requirements**
 - ◆ ***Cumulus Licensing Corporation.*** Atlanta, GA District Office (8/02/00).

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

- **47 C.F.R. § 17.4 - Antenna Structure Registration**
 - ◆ ***One-on-One Sports Radio of California, L.L.C., Northbrook, IL.*** Los Angeles, CA District Office (8/01/00).
 - ◆ ***Radford Communications, Inc.*** Other violation: 47 C.F.R. § 73.1230 (Posting of Station License). Norfolk, VA Resident Agent Office (8/01/00).
 - ◆ ***SpectraSite Communications, Inc., Cary NC.*** Tampa, FL District Office (8/01/00).
 - ◆ ***Lumbee River Electric Membership Corporation, Red Springs, NC.*** Norfolk, VA Resident Agent Office (8/03/00).
 - ◆ ***State of New Mexico, Santa Fe, New Mexico.*** Denver, CO District Office (8/8/00).
 - ◆ ***State of New Mexico, Las Vegas, New Mexico.*** Denver, CO District Office (8/8/00).
 - ◆ ***Union Pacific Railroad Company, Santa Rosa, New Mexico.*** Denver, CO District Office (8/8/00).
 - ◆ ***Western PCS II Corporation, Santa Fe, New Mexico.*** Denver, CO District Office (8/8/00).
 - ◆ ***Western PCS II Corporation, Edgewood, New Mexico.*** Denver, CO District Office (8/8/00).
 - ◆ ***OmniAmerica Development, Tijeras, New Mexico.*** Denver, CO District Office (8/9/00).
 - ◆ ***OmniAmerica Development, Tijeras, New Mexico.*** Denver, CO District Office (8/9/00).
 - ◆ ***Walton County Board of County Commissioners, Defuniak Springs, FL*** Tampa, FL District Office (8/09/00).

- ◆ **Hahn, Ned E. DBA=H Services.** Anchorage, AK Resident Agent Office (8/10/00).
- ◆ **Mortenson Broadcasting Co. of Texas, Inc., KGGR, Dallas, TX.** Other violations: 47 C.F.R. §§ 17.47 (Inspection of Antenna Structure Lights and Associated Control Equipment) and 17.56 (Maintenance of Lighting Equipment), 73.1400 (Transmission System Monitoring and Control), 73.1570 (Modulation Levels: AM, FM, and TV aural), 73.1745 (Unauthorized Operation), 73.1800 (General Requirements Related to the Station Log), 73.1870(Chief Operators). Dallas, TX District Office (8/15/00).
- ◆ **Canandaigua Broadcasting, Canandaigua, New York.** Buffalo, NY Resident Agent Office (8/16/00).
- ◆ **MCI Telecommunications Corporation, Fayette, New York.** Buffalo, NY Resident Agent Office (8/16/00).
- ◆ **Pegasus Cellular Telephone Company, Seneca Falls, New York.** Buffalo, NY Resident Agent Office (8/17/00).
- ◆ **AT&T Broadband, Knoxville, IA.** Kansas City, MO District Office (8/18/00).
- ◆ **ATC Tower Corporation, Albuquerque, New Mexico.** Denver, CO District Office (8/18/00).
- ◆ **City of Santa Rosa, Santa Rosa, New Mexico.** Denver, CO District Office (8/18/00).
- ◆ **KASA-TV, Inc., Sandia Crest, New Mexico.** Denver, CO District Office (8/18/00).
- ◆ **Motorola, Inc., Albuquerque, New Mexico.** Denver, CO District Office (8/18/00).
- ◆ **Titan Towers, LP, Cedar Crest, New Mexico.** Denver, CO District Office (8/18/00).
- ◆ **US West New Vector Group, Inc., dba Airtouch Cellular, Albuquerque, New Mexico.** Denver, CO District Office (8/18/00).
- ◆ **West Tennessee Communications, Dyersburg, TN.** Other violations: 47 C.F.R. §§ 17.47 (Inspection of Antenna Structure Lights and Associated Control Equipment) and 17.48(Notification of Extinguishment of Improper Functioning of Lights) New Orleans, LA District Office (8/18/00).
- ◆ **AT&T Wireless Services Inc, Washington, DC.** Dallas, TX District Office (8/22/00).
- ◆ **Burlington Northern and Santa Fe Railway, Kansas City, KS.** Dallas, TX District Office (8/22/00).
- ◆ **J.C. Tomlinson, Bowie, TX.** Dallas, TX District Office (8/22/00).
- ◆ **Mobile Phone of Texas, Inc, Wichita Falls, TX.** Dallas, TX District Office (8/22/00).
- ◆ **Mobile Phone of Texas, Inc, Wichita Falls, TX.** Dallas, TX District Office (8/22/00).
- ◆ **Signal One, LLC, Chattanooga, TN.** Atlanta, GA District Office (8/22/00).
- ◆ **Texas Utilities (TXU) Electric Co, Dallas, TX.** Dallas, TX District Office (8/22/00).

- ◆ **Central Star Communications Inc., Cedar Rapids, IA.** Other violation: 47 C.F.R. § 73.3526 (Local Public Inspection File For Commercial Stations). Kansas City, MO District Office (8/23/00).
 - ◆ **American Tower Corporation dba OmniAmerica Development Corporation, Oklahoma City, OK.** Kansas City, MO District Office (8/24/00).
 - ◆ **Maggie Staton dba Nextel West Corporation, Columbus, OH.** Detroit, MI District Office (8/24/00).
 - ◆ **Mid Coast Cable Television Inc, Edna, TX.** Houston, TX Resident Agent Office (8/24/00).
 - ◆ **WirelessCO, L.P., Overland Park, KS.** Kansas City, MO District Office (8/24/00).
 - ◆ **The Burlington Northern and Santa Fe Railroad.** Kansas City, MO District Office (8/30/00).
 - ◆ **Crown Communications, Inc., Canonsburg, PA.** New Orleans, LA District Office (8/31/00).
 - ◆ **Harrison Communications, Inc., Louisville, MS.** New Orleans, LA District Office (8/31/00).
 - ◆ **MediaCom Southeast, LLC, Middletown, NY.** New Orleans, LA District Office (8/31/00).
 - ◆ **SpectraSite Communications, Inc., Cary, NC.** New Orleans, LA District Office (8/31/00).
- 47 C.F.R. § 17.48 – Notification of Extinguishment of Improper Functioning of Lights
 - ◆ **AT&T Wireless Services, Inc., Norfolk, VA** Resident Agent Office (8/03/00)
 - ◆ **North Carolina Natural Gas Corporation.** Norfolk, VA Resident Agent Office (8/03/00).
 - ◆ **Alltel Communications, Inc., Tallahassee, FL.** Tampa, FL District Office (8/22/00).
 - ◆ **American Tower Corporation, Atlanta, GA.** Other violation: Other violation: 47 C.F.R. § 17.57 (Report of Radio Transmitting Antenna Construction, Alteration, and/or Renewal). Tampa, FL District Office (8/22/00).
 - ◆ **Interphone Company, Rocheport, MO.** Kansas City, MO District Office (8/24/00).
 - ◆ **Centennial Wireless PCS License Corp., Aguadilla, PR.** San Juan, PR Resident Agent Office (8/29/00).
- 47 C.F.R. § 17.50 – Cleaning and Repainting
 - ◆ **New Northwest Broadcasters II, Inc., Kennewick, WA.** Seattle, WA District Office (8/1/00).
 - ◆ **North Georgia EMC, Summerville, GA.** Atlanta, GA District Office (8/22/00).
- 47 C.F.R. § 17.56 – Maintenance of Lighting Equipment

- ◆ *American Tower L.P., Houston, TX.* Dallas, TX District Office (8/30/00).
 - ◆ *American Tower L.P., Houston, TX.* Dallas, TX District Office (8/30/00).
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 - ◆ *American Tower L.P., Houston, TX.* Dallas, TX District Office (8/30/00).
 - ◆ *ATC Tower Corp., Houston, TX.* Dallas, TX District Office (8/30/00).
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 - ◆ *Crown Communications, Inc., Canonsburg, PA.* Dallas, TX District Office (8/30/00).
 - ◆ *American Tower L.P., Houston, TX.* Dallas, TX District Office (8/31/00).
 - ◆ *American Tower L.P., Houston, TX.* Dallas, TX District Office (8/31/00).
 - ◆ *Bowen Smith Corporation, Webster, TX.* Dallas, TX District Office (8/31/00).
 - ◆ *Telecom Towers, Inc. dba FRM Facilities Management, L.P., Richmond, VA.* Dallas, TX District Office (8/31/00).
- 47 C.F.R. § 17.57 – Report of Radio Transmitting Antenna Construction, Alteration, and/or Renewal
 - ◆ *American Tower Corp., Atlanta, GA.* Tampa, FL District Office (8/02/00).
 - ◆ *American Tower Corporation, Atlanta, GA.* Tampa, FL District Office (8/22/00).
 - ◆ *American Tower Corporation, Atlanta, GA.* Tampa, FL District Office (8/22/00).

47 C.F.R. Part 22 – Public Mobile Radio Services

- 47 C.F.R. § 22.359 – Emission Masks
 - ◆ *Arch Communications, Raleigh, NC.* Norfolk, VA Resident Agent Office (8/03/00).

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

- 47 C.F.R. § 73.267 – Determining Operating Power
 - ◆ *Connoisseur Comms. Of Quad Cities, L.P., Davenport, IA.* Other violations: 47 C.F.R. §§ 73.1226 (Availability to FCC of Station Logs and Records), 73.1350 (Transmission System Operation), 73.1820 (Station Logs) and 73.1870 (Chief Operators). Kansas City, MO District Office (8/22/00).
- 47 C.F.R. § 73.1226 – Availability to FCC of Station Logs and Records

- ◆ *Cumulus Licensing Corporation*. Atlanta, GA District Office (8/02/00).
- 47 C.F.R. § 73.1230 – Posting of Station License
 - ◆ *Citadel License, Inc., WZRA, Providence, RI*. Other violation: 47 C.F.R. § 73.3526 (Local Public Inspection File for Commercial Stations). Boston, MA District Office (8/30/00).
- 47 C.F.R. § 73.1870 – Chief Operators
 - ◆ *Concord Broadcasting L.L.C., WOTX-FM, Concord, NH*. Other violation: 47 CFR § 73.3526 (Local Public Inspection File For Commercial Stations). Boston, MA District Office (8/4/00).
 - ◆ *Ozark Christian College, Joplin, MO*. Other violation: 47 C.F.R. § 73.3527 (Local Public Inspection File for Non-Commercial Stations). Kansas City, MO District Office (8/30/00).

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

- 47 C.F.R. § 76.305 – Records to be Maintained Locally By Cable System Operators for Public Inspection
 - ◆ *Adelphia Cable Television, Las Vegas, New Mexico*. Other violation: 47 C.F.R. § 76.605(a)(12) (Technical Standards). Denver, CO District Office (8/2/00).
- 47 C.F.R. § 76.605 – Cable Signal Leakage
 - ◆ *Moffat Communications, Inc., Zephyrhills, FL*. Tampa, FL District Office (8/1/00).
 - ◆ *Adelphia Cable Communications, Buffalo, New York*. Buffalo, NY Resident Agent Office (8/10/00).
 - ◆ *Mid-Coast Cable Television, L.P., El Campo, TX*. Houston, TX Resident Agent Office (8/24/00).

47 C.F.R. Part 80 – Safety and Special Radio Services

- 47 C.F.R. § 80.89 – Unauthorized Transmission
 - ◆ *Kendrick Ching, Mililani, HI*. Honolulu, HI Resident Agent Office (8/1/00).
 - ◆ *Ralf Oide, Honolulu, HI*. Honolulu, HI Resident Agent Office (8/15/00).

47 C.F.R. Part 87 – Aviation Services

- 47 C.F.R. § 87.187 – Frequencies
 - ◆ *Walter Wildman, Columbus, OH*. Detroit, MI District Office (8/31/00).

- 47 C.F.R. § 87.263 – Frequencies
 - ◆ *Air Service Corporation, Honolulu, HI.* Honolulu, HI Resident Agent Office (8/8/00).

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

- 47 C.F.R. § 90.403 – General Operating Requirements
 - ◆ *Protection One, Topeka, KS.* Other violations: 47 C.F.R. §§ 90.433(Operator Requirements), 90.437(Posting Station Licenses) and 90.439 (Inspection of Stations). Kansas City, MO District Office (8/24/00).
- 47 C.F.R. § 90.425 – Station Identification
 - ◆ *Ecuador Corp., WPNZ-552, Astoria, NY.* New York, NY District Office (8/15/00).

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

- 47 C.F.R. § 95.409 – (CB Rule 9) What Equipment May I Use At My CB Station?
 - ◆ *Gene Autry Fricke, Nashua, NH.* Other violations: 47 C.F.R. §§ 95.410(CB Rule 10 – How Much Power May I Use?), 95.416 (CB Rule 16 – Do I Have To Limit The Length Of My Communications?), and 95.423(CB Rule 23 – What Must I Do If The FCC Tells Me That My CB Station Is Causing Interference?). Boston, MA District Office (8/29/00).
- 47 C.F.R. § 95.422 - (CB Rule 22) How Do I Answer Correspondence From the FCC?
 - ◆ *Jose Ayala, Worcester, MA.* Boston, MA District Office (8/10/00).
 - ◆ *Robert Beal, Mechanicsville, MD.* Columbia, MD District Office (8/11/00).

47 C.F.R. Part 97 – Amateur Radio Service

- 47 C.F.R. § 97.113 – Prohibited Transmissions
 - ◆ *Joe H. Heartsill, San Angelo, TX.* Other violation: 47 C.F.R. § 97.119(Station Identification). Detroit, MI District Office (8/15/00).
 - ◆ *Lucas G. Heartsill, San Angelo, TX.* Other violation: 47 C.F.R. § 97.119(Station Identification). Detroit, MI District Office (8/15/00)
 - ◆ *Nancy B. Heartsill, San Angelo, TX.* Other violation: 47 C.F.R. § 97.119(Station Identification). Detroit, MI District Office (8/15/00)

CITATIONS

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

- 47 C.F.R. § 2.803 – Marketing of Radio Frequency Devices Prior to Equipment Authorization
 - ◆ *Tansvideo, North Hollywood, CA.* Los Angeles, CA District Office (8/4/00).
 - ◆ *Electronics Unlimited, Frederick, MD.* Columbia, MD District Office (8/16/00).