



PUBLIC NOTICE

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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 April 1, to April 30, 2000. During this period, the Field Offices issued eight (8) Notices of Apparent Liability ("NALs") and 78 Notices of Violation ("NOVs") for violations of the Communications Act of 1934, as amended, 47 U.S.C. Section 151, *et seq.*, and/or the FCC's Rules.

Five (5) of the NALs involved violation of the Commission's Emergency Alert System ("EAS") rules and three (3) NALs involved unlicensed operation in violation of Section 301 of the Communications Act of 1934. Of the 78 NOVs, 38 involved violation of the Commission's rules regarding registration, marking and lighting of antenna structures.

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 must do so in accordance with the instructions and by the deadline set forth in the NAL or NOV.

NOTICES OF APPARENT LIABILITY

Communications Act

- ◆ 47 U.S.C. § 301 (Unauthorized Operation of Station)
 - **Nextel Communications, Inc., Reston, VA.** Issued **\$10,000** NAL for unlicensed operation on frequencies assigned to the Private Land Mobile Radio Services at a site in New Orleans, LA. New Orleans, LA Office (4/24/00).
 - **Nextel Communications, Inc., Reston, VA.** Issued **\$10,000** NAL for unlicensed operation on frequencies assigned to the Private Land Mobile Radio Services at a site in Metairie, LA. New Orleans, LA Office (4/25/00).

- *Nextel Communications, Inc., Reston, VA.* Issued **\$10,000** NAL for unlicensed operation on frequencies assigned to the Private Land Mobile Radio Services at a site in Kenner, LA. New Orleans, LA Office (4/26/2000).

47 C.F.R. Part 11 (Emergency Alert System Rules)

- ◆ 47 C.F.R. § 11.35 (Equipment Operational Readiness)
 - *Booth-Newsome Broadcasting, Inc., WKTE.* Issued **\$20,000** NAL. NAL also issued for apparent violation of 47 C.F.R. §§ 73.1590(a)(6) and (b) and 73.3526(a)(2). Norfolk, VA Office (4/17/00).
 - *Pride Radio Licensee, Inc., licensee of Radio Station WLLI-FM, Joliet, IL.* Issued **\$4,000** NAL. NAL also issued for apparent violation of 47 C.F.R. § 11.61(a)(1)(v) and (a)(2)(ii)(A). Chicago, IL Office (4/19/00).
 - *Pride Radio Licensee, Inc., licensee of Radio Station WJTW, Joliet, IL.* Issued **\$4,000** NAL. NAL also issued for apparent violation of 47 C.F.R. § 11.61(a)(1)(v) and 11.61(a)(2)(ii)(A). Chicago, IL Office (4/19/00).
 - *Pride Radio Licensee, Inc., licensee of Radio Station WJOL, Joliet, IL.* Issued **\$4,000** NAL. NAL also issued for apparent violation of 47 C.F.R. § 11.61(a)(1)(v) and 11.61(a)(2)(ii)(A). Chicago, IL Office (4/19/00).
 - *Pride Radio Licensee, Inc., licensee of Radio Station WBVS, Coal City, IL.* Issued **\$4,000** NAL. NAL also issued for apparent violation of 47 C.F.R. § 11.61(a)(1)(v) and 11.61(a)(2)(ii)(A). Chicago, IL Office (4/19/00).

NOTICES OF VIOLATION

Communications Act

- ◆ 47 U.S.C. § 301 (unlicensed operation of a station)
 - *Marcos Gomez, Iglesia Apostolica Church, Inglewood, CA.* Los Angeles, CA Office (4/5/00).

47 C.F.R. Part 1, Subpart F (Wireless Telecommunications Services Applications and Proceedings)

- ◆ 47 C.F.R. § 1.903 (Authorization Required)
 - *Michael Sporer, WMIX485, San Ramon, California.* NOV also issued for violation of 47 C.F.R. § 90.631 (Trunked Systems Loading, Construction and Authorization Requirements). Philadelphia, PA Office (4/12/00).
 - *Southern Natural Gas Company.* NOV also issued for violation of 47 C.F.R. §§ 90.233(a) (responsibility of non-voice operation licensees to

cooperate in shared use of land mobile channels) and 90.403(e) (requirement to take reasonable precautions to avoid causing harmful interference). Atlanta, GA Office (4/25/00).

- ◆ 47 C.F.R. § 1.929 (Classifications of Filings as Major or Minor)
 - ***Mega Page (WPMG359), Naranjito, Puerto Rico.*** NOV also issued for violation of 47 C.F.R. § 90.403(e) (avoidance of harmful interference). San Juan, PR Office (4/13/00).

47 C.F.R. Part 11 (Emergency Alert System (EAS) Rules)

- ◆ 47 C.F.R. § 11.15 (EAS Operating Handbook)
 - ***M.J. Phillips Communications, Inc., Niagara Falls, NY.*** NOV also issued for violation of 47 C.F.R. §§ 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), 17.47 (Inspection of Antenna Structure Lights and Associated Control Equipment), 73.51 (Determining Operating Power), 73.58 (Indicating Instruments), 73.1125 (Station Main Studio Location), 73.1560 (Operating Power and Mode Tolerances), 73.1820 (Station Log), and 73.3526 (Public Inspection File). Buffalo, NY Office (4/13/00).
- ◆ 47 C.F.R. § 11.35 (Equipment Operational Readiness)
 - ***AT&T Cable Services, McHenry, IL.*** NOV also issued for violation of 47 C.F.R. §§ 11.61 and 76.305. Chicago, IL Office (4/3/00).
- ◆ 47 C.F.R. § 11.52 (EAS Code and Attention Signal Monitoring Requirements)
 - ***Keyed Up Communications Company, Key West, FL.*** Tampa, FL Office (4/13/00).
- ◆ 47 C.F.R. § 11.61 (Tests of EAS Procedures)
 - ***AT&T Wireless Broadband Services.*** NOV also issued for violation of 47 C.F.R. § 76.605(a)(12) (cable signal leakage). Seattle, WA Office (4/6/00).
 - ***Champion Broadcasting Systems, Inc., WUNR, Boston, MA.*** New England District Office (4/27/00).

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

- ◆ 47 C.F.R. § 17.4 (Antenna Structure Registration Requirements)

- **J. Manzo, Incorporated, Matawan, NJ.** New York, NY Office (4/3/00).
- **American Tower Corporation.** Portland, OR Office (4/4/00).
- **James B. Wisdom, Farmersville, Texas.** Dallas, TX Office (4/6/00).
- **North Texas Municipal Water District, Wylie, Texas.** Dallas, TX Office (4/6/00).
- **Crown Castle International, Aguadilla, Puerto Rico.** San Juan, PR Office (4/10/00).
- **Borough of Pompton Lakes, Pompton Lakes, NJ.** New York, NY Office (4/11/00).
- **Gary L. Autry, Frankton, CO.** Denver, CO Office (4/12/00).
- **Mr. & Mrs. Johnny Keath and Patty McLaughlin, Auburndale, FL.** NOV also issued for violation of 47 C.F.R. § 17.48 (Notification of extinguishment or improper functioning of lights). Tampa, FL Office (4/12/00).
- **Vertex Communications Corporation.** Dallas, TX Office (4/13/00).
- **Morris Broadcasting Company of New Jersey, WIMG(AM), Trenton, NJ.** NOV also issued for violation of 47 C.F.R. § 73.49 (AM Transmission System Fencing Requirements). Philadelphia, PA Office (4/14/00).
- **La Biondo Brothers Motor Express, Inc., Rosenhayn, NJ.** NOV also issued for violation of 47 C.F.R. § 17.50 (Cleaning and Repainting). Philadelphia, PA Office (4/17/00).
- **Sprint PCS, Overland Park, KS.** Kansas City, MO Office (4/17/00).
- **Sunflower Cable, Lawrence, KS.** Kansas City, MO Office (4/17/00).
- **Citadel Broadcasting Company, WRKZ(FM), Elizabethtown, PA.** Philadelphia, PA Office (4/24/00).
- **AT&T Corp.** Dallas, TX Office (4/25/00).
- **Brazos Electric Power Cooperative, Inc.** Dallas, TX Office (4/25/00).
- **KSMQ-TV, Independent School District 492, Austin, MN.** Saint Paul, MN Office (4/25/00).
- **KSMQ-TV, Independent School District 492, Austin, MN.** Saint Paul, MN Office (4/25/00).
- **Meadowlark Group, Inc., Limon, Colorado.** Denver, CO Office (4/25/00).
- **Pinnacle Towers Incorporated.** Dallas, TX Office (4/25/00).
- **Richardson Independent School District.** Dallas, TX Office (4/25/00).
- **Sprint Spectrum, L.P.** Saint Paul, MN Office (4/25/00).
- **Texas Instruments Incorporated.** Dallas, TX Office (4/25/00).
- **U.S. West Communications, Inc., Limon, Colorado.** Denver, CO Office (4/25/00).
- **Western Wireless, Cedar Point, Colorado.** Denver, CO Office (4/25/00).
- **Communications Solutions Associates, Inc., Walsenburg, Colorado.** Denver, CO Office (4/26/00).
- **State of Colorado, Limon, Colorado.** Denver, CO Office (4/26/00).
- **Western Wireless, Limon, Colorado.** Denver, CO Office (4/26/00).

- ◆ 47 C.F.R. § 17.22 (Painting and Lighting, when required)
 - *County of Suffolk, Yaphank, NY.* NOV also issued for violation of 47 C.F.R. §§ 17.23 and 17.50. New York, NY Office (4/10/00).
- ◆ 47 C.F.R. § 17.23 (Specifications for Painting and Lighting Antenna Structures)
 - *ATC Tower Corporation, Houston, TX.* New Orleans, LA Office (4/12/00).
 - *Mortenson Broadcasting Inc., WWNL(AM), Lexington, KY.* Philadelphia, PA Office (4/27/00).
- ◆ 47 C.F.R. § 17.47 (Inspection of Antenna Structure Lights and Associated Control Equipment)
 - *American Tower/Telecom Towers, Inc. dba RFM Facilities Management, L.P..* NOV also issued for violation of 47 C.F.R. § 17.57 (Report of radio transmitting antenna construction, alteration and/or removal). Dallas, TX Office (4/13/00).
- ◆ 47 C.F.R. § 17.48 (Notification of Extinguishment or Improper Functioning of Lights)
 - *SBA Towers, Inc., Boca Raton, Florida.* Buffalo, NY Office (4/18/00).
 - *Upstate Cellular, Rochester, New York.* Buffalo, NY Office (4/18/00).
 - *Huago Broadcasting, Inc., KSQY-FM, Deadwood, South Dakota.* Denver, CO Office (4/20/00).
- ◆ 47 C.F.R. § 17.50 (Cleaning and Repainting)
 - *James R. Fincher, Wilmer, AL.* New Orleans, LA Office (4/13/00).
 - *Capstar TX Limited Partnership, WFQX, Front Royal, VA.* NOV also issued for violation of 47 C.F.R. § 73.3526(e)(12) (failure to include radio issues/programs list in public inspection file). Columbia, MD Office (4/25/00).
- ◆ 47 C.F.R. § 17.51 (Time When Lights Should Be Exhibited)
 - *Anderson Broadcasting Company.* Saint Paul, MN Office (4/3/00).

47 C.F.R. Part 22 (Public Mobile Services Rules)

- ◆ 47 C.F.R. § 22.352 (Protection from Interference)
 - *GTE California, Inc.* Los Angeles, CA Office (4/18/00).

- ◆ 47 C.F.R. § 22.359 (Emission Masks)
 - ***Arch Communications, Inc., KWU290, Westborough, Mass.***
Philadelphia, PA Office (4/26/00).

47 C.F.R. Part 73 (Broadcast Radio Service Rules)

- ◆ 47 C.F.R. § 73.26 (Regional Channels; Class B and Class D Stations)
 - ***Alpha Broadcasting Corporation, (WSVI-TV), Christiansted, USVI.***
NOV also issued for violation of 47 C.F.R. §§ 73.1820 (Station Log) and 73.3526 (Public Inspection File). San Juan, PR Office (4/25/00).
- ◆ 47 C.F.R. § 73.1125 (Station Main Studio Location)
 - ***Clamor Broadcasting Network, Inc. (WJVP(FM)), Culebra, Puerto Rico.*** San Juan, PR Office (4/7/00).
 - ***Wilfredo Blanco Pi (WISO(AM)), Ponce, Puerto Rico.*** San Juan, PR Office (4/7/00).
 - ***Dominga Barreto-Santiago, (WZNA(AM)), Moca, Puerto Rico.*** San Juan, PR Office (4/12/00).
- ◆ 47 C.F.R. § 73.1201 (Station Identification)
 - ***A.H. Belo Corp., New Orleans, LA.*** New Orleans, LA Office (4/4/00).
 - ***WTIX, Inc., New Orleans, LA.*** New Orleans, LA Office (4/11/00).
- ◆ 47 C.F.R. § 73.1545 (Carrier Frequency Departure Tolerances)
 - ***The Entertainment Network, Inc., Springfield, MO.*** Kansas City, MO (4/18/00).
- ◆ 47 C.F.R. § 73.1560 (Operating Power and Mode Tolerances)
 - ***Brown Broadcasting Service, Inc., WBUR, Providence, RI.*** NOV also issued for violation of 47 C.F.R. §§ 73.1800 (General requirements related to station log), 73.1870(b)(3) (designation of chief operator), 73.3526(e)(12) (requirement to include quarterly radio issues/program list in public inspection file). New England District Office (4/18/00).

47 C.F.R. Part 76 (Multichannel Video and Cable Service Rules)

- ◆ 47 C.F.R. § 76.605(a)(12) (Cable Signal Leakage)
 - ***Classic Cable.*** Dallas, TX Office (4/13/00).

- **Classic Cable, Mound City, KS.** Kansas City, MO Office (4/13/00).
- **Classic Cable, Boonville, MO.** Kansas City, MO Office (4/17/00).
- **Charter Communications, Oxford, MI.** Detroit, MI Office (4/19/00).
- **Adelphia Cable Communications, Lorain, OH.** Detroit, MI Office (4/20/00).
- **MediaOne of Southeast Michigan, Westland, MI.** Detroit, MI Office (4/21/00).
- **MediaOne of Southeast Michigan, Westland, MI.** Detroit, MI Office (4/21/00).

47 C.F.R. Part 87 (Aviation Services)

◆ 47 C.F.R. § 87.197 (ELT Test Procedures)

- **Harrisburg Jet Center, Inc., Harrisburg, PA.** Philadelphia, PA Office (4/26/00).

47 C.F.R. Part 90 (Private Land Mobile Radio Service)

◆ 47 C.F.R. § 90.155 (Time in Which Station Must Be Placed in Operation)

- **West Conshohocken Marriott, WNWW868, West Conshohocken, PA.** NOV also issued for violation of 47 C.F.R. §§ 90.267 and 90.437. Philadelphia, PA Office (4/3/00).

◆ 47 C.F.R. § 90.157 (Discontinuance of Station Operation)

- **D. M. Sabia & Company, Inc., WQZ909, Conshohocken, PA.** Philadelphia, PA Office (4/25/00).
- **Robert Grays & Sons, Inc., WRU626, Holland, PA.** Philadelphia, PA Office (4/26/00).

◆ 47 C.F.R. § 90.210 (Emission Masks)

- **Oregon Pacific Railroad Company, Portland, OR.** Portland, OR Office (4/6/00).
- **CARGILL, Inc.** NOV also issued for violation of 47 C.F.R. §§ 90.213 (Frequency Stability) and 90.425 (Station Identification). Seattle, WA Office (4/10/00).
- **Bell Atlantic Corporation, WNP681, Baltimore, MD.** Philadelphia, PA Office (4/12/00).

◆ 47 C.F.R. § 90.403 (General Operating Requirements)

- **Eastern Car Service, Brooklyn, NY, WNNQ613.** New York, NY Office (4/10/00).

- *New Laconia Radio Dispatcher, Inc., Bronx, NY, WNNO-443.* New York, NY Office (4/20/00).
- *Transportation Unlimited, Brooklyn, NY, WNXR-998.* New York, NY Office (4/20/00).

◆ 47 C.F.R. § 90.425 (Station Identification)

- *Campbell's Soup Company, KNEZ621, Camden, NJ.* Philadelphia, PA Office (4/13/00).
- *Christian Community South Bronx Transportation Network, Bronx, NY.* New York, NY Office (4/28/00).

◆ 47 C.F.R. § 90.647 (Station Identification)

- *Paging Network of America, Inc., KNN801.* Philadelphia, PA Office (4/17/00).

47 C.F.R. Part 95 (Citizens Band Radio Service)

◆ 47 C.F.R. § 95.409 (Equipment)

- *Carl M. Elliott, Akron, OH.* NOV also issued for violation of 47 C.F.R. § 95.423 (Interference). Detroit, MI Office (4/14/00).