



PUBLIC NOTICE

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ENFORCEMENT BUREAU FIELD OFFICES LIST OF NOTICES OF APPARENT LIABILITY ISSUED

The following is a list of Notices of Apparent Liability ("NALs") issued by the Enforcement Bureau's Field Offices during the period January 1, through March 31, 2003. The Field Offices issued 66 NALs in amounts totaling \$ 567,000 for violations of the Communications Act of 1934, as amended, 47 U.S.C. § 151, *et. seq.*, and/or the FCC's rules. As detailed below, of the 66 NALs issued, 45 involved violations of the Commission's safety-related rules (*e.g.*, Emergency Alert System, antenna structure registration, painting and lighting, AM fencing requirements and cable signal leakage). The Commission cautions licensees and antenna structure owners that the Commission takes compliance with these rules seriously. Failure to comply with these rules may result in significant enforcement action.

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

Communications Act

- 47 U.S.C. § 301 – Unauthorized Operation
 - **Rawlins Charles, Brooklyn, NY. \$10,000 NAL.** New York, NY District Office (1/8/03).
 - **Fernando Alejandro, Bronx, NY. \$10,000 NAL.** New York, NY District Office (1/10/03).
 - **Emmanuel Frederic, Brooklyn, NY. \$10,000 NAL.** New York, NY District Office (1/23/03).
 - **Mark A. Clay, Huntington, WV. \$10,000 NAL.** Columbia, MD District Office (1/29/03).
 - **Michael S. Selvanto, Elizabeth, NJ. \$10,000 NAL.** New York, NY District Office (2/18/03).
 - **ESI Companies, Inc., Memphis, TN. \$10,000 NAL.** Norfolk, VA Resident Agent Office (3/4/03).
 - **Global Radio, Inc., WN3XFL, San Diego, CA. \$12,000 NAL.** Other violation: 47 C.F.R. § 74.103 (Frequency Assignment). San Diego, CA District Office (3/28/03).

- **Everald Oliver Brown, Orlando, FL. \$10,000 NAL.** Tampa, FL District Office (3/31/03).

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

- **47 C.F.R. § 1.903 – Authorization Required**
 - ***New York Radio Service. \$4,000 NAL.*** Philadelphia, PA District Office (1/6/03).
 - ***Statcom Communications Corporation, Staten Island, NY. \$12,000 NAL.*** Philadelphia, PA District Office (1/27/03).
 - ***Air Paging Communications Corp., Pembroke Pines, FL. \$4,000 NAL.*** Miami, FL Resident Agent Office (3/18/03).
 - ***Air Paging, Inc., North Miami Beach, FL. \$9,000 NAL.*** Other violations: 47 C.F.R. §§ 90.403 (General Operating Requirements) and 90.425 (Station Identification). Miami, FL Resident Agent Office (3/18/03).
 - ***Dominic DeNaples, Dunmore, PA. \$4,000 NAL.*** Philadelphia, PA District Office (3/27/03).
 - ***PGA Tour, WPSE606, San Diego, CA. \$12,000 NAL.*** Other violations: 47 C.F.R. §§ 90.403 (General Operating Requirements) and 90.425 (Station Identification). San Diego, CA District Office (3/31/03).

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

- **47 C.F.R. § 11.35 – Equipment Operational Readiness**
 - ***Charles R. Meeker, KDPX-LP, Cathedral City, CA. \$8,000 NAL.*** San Diego, CA District Office (1/31/03).
 - ***M.J. Phillips Communications, Inc., WJLL, Niagara Falls, NY. \$10,000 NAL.*** Other violations: 47 C.F.R. §§ 11.52 (EAS Code and Attention Signal Monitoring Requirements), 17.4(a) (Antenna Structure Registration) and 73.1560 (Operating Power and Mode Tolerances). Buffalo, NY Resident Agent Office (1/28/03).
 - ***Pittman Broadcasting Services, L.L.C., KAOK(AM), KAOK-FM, Covington, Louisiana. \$15,000 NAL.*** Other violation: 47 C.F.R. § 73.49 (AM Transmission Fencing Requirements). New Orleans, LA District Office (2/14/03).
 - ***Victory & Power Ministries, Inc., WPFC, Baton Rouge, Louisiana. \$25,000 NAL.*** Other violations: 47 C.F.R. §§ 73.49 (AM Transmission Fencing Requirements) and 73.3526 (Local Public Inspection File for Commercial Stations). New Orleans, LA District Office (2/14/03).
 - ***Southern Broadcasting Corporation, WENA-AM, Yauco, PR. \$8,000 NAL.*** San Juan, PR Resident Agent (3/11/03).
 - ***Jesse C. Ross and Ernestine A. Ross, WSAO(AM), Senatobia, MS. \$21,000 NAL.*** Other violations: 47 C.F.R. §§ 17.4(a) (Antenna Structure Registration) and 73.3526 (Local Public Inspection File for Commercial Stations). New Orleans, LA District Office (3/18/03).
 - ***Mega Communications of Camden Licensee, L.L.C., (WEMG), New York, NY. \$1,000 NAL.*** Philadelphia, PA District Office (3/28/03).

- ***Pentecostal Temple Development Corp., (WGBN), Pittsburgh, PA. \$8,000 NAL.*** Other violation: 47 C.F.R. § 11.61 (Tests of EAS Procedures). Philadelphia, PA District Office (3/28/03).
- ***Desert Television LLC, KPSP-LP, Cathedral City – Palm Springs, CA. \$8,000 NAL.*** Other violation: 47 C.F.R. § 11.61 (Tests of EAS Procedures). San Diego, CA District Office (3/31/03).
- ***Playa Del Sol Broadcasters, KRCK-FM, Mecca, CA. \$15,000 NAL.*** Other violations: 47 C.F.R. §§ 11.61 (Tests of EAS Procedures) and 73.1125 (Station Main Studio Location). San Diego, CA District Office (3/31/03).
- 47 C.F.R. § 11.61 – Tests of EAS Procedures
 - ***IW Limited Liability Company, WRCN-FM, Newton, MA. \$3,000 NAL.*** New York, NY District Office (1/31/03).
 - ***Cablevision Systems of New York City Corporation, Bethpage, NY. \$3,000 NAL.*** New York, NY District Office (2/14/03).
 - ***Pearson Broadcasting of Mena, Inc., KTTG(FM), Mena, Arkansas. \$2,000 NAL.*** New Orleans, LA District Office (2/18/03).
 - ***Chatterbox, Inc., WQXB(FM), Grenada, MS. \$2,000 NAL.*** New Orleans, LA District Office (3/17/03).
 - ***Pacifica Foundation, WPFW, Washington, DC. \$3,000 NAL.*** Other violation: 47 C.F.R. § 73.1870 (Chief Operator). Columbia, MD District Office (3/26/03).
 - ***Time Warner Cable. \$3,000 NAL.*** New York, NY District Office (3/31/03).

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

- 47 C.F.R. § 17.4(a) – Antenna Structure Registration
 - ***CB Radio, Inc., Elizabethton, TN. \$3,000 NAL.*** Atlanta, GA District Office (1/23/03).
 - ***FrontierVision Operating Partners, L.P., Coudersport, PA. \$6,000 NAL*** Detroit, MI District Office (1/27/03).
 - ***Joe E. Ramsey and John Ramsey d.b.a. Ramsey & Ramsey, Idabel, Oklahoma. \$3,000 NAL.*** Dallas, TX District Office (2/18/03).
 - ***Best Country Broadcasting, L.L.C., Bogalusa, Louisiana. \$3,000 NAL.*** New Orleans, LA District Office (2/19/03).
 - ***East Texas Broadcasting, Inc., KPLT, Mount Pleasant, TX. \$10,000 NAL.*** Other violation: 47 C.F.R. § 73.49 (AM Transmission Fencing Requirements). Dallas, TX District Office (3/4/03).
 - ***North Country Repeaters, Beekmantown, NY. \$15,000 NAL.*** Other violations: 47 C.F.R. § 17.4(g) (Posting of Antenna Structure Registration Number) and 17.50 (Cleaning and Repainting). Buffalo, NY Resident Agent Office (3/12/03).
 - ***Tennessee Gas Pipeline Company, Syracuse, NY. \$13,000 NAL.*** Other violation: 47 C.F.R. § 17.50 (Cleaning and Repainting). Buffalo, NY Resident Agent Office (3/12/03).
- 47 C.F.R. § 17.23 – Specifications for Painting and Lighting Antenna Structures
 - ***Union Oil of California dba Unocal. \$12,000 NAL.*** Other violation: 47 C.F.R. § 17.4(g) (Posting of Antenna Structure Registration Number). Anchorage, AK Resident Agent Office (1/31/03).

- 47 C.F.R. § 17.47 – Inspection of Antenna Structure Lights and Associated Control Equipment
 - **Urban Radio of Pennsylvania, L.L.C., WURP, Philadelphia, PA. \$15,000 NAL.** Other violations: 47 C.F.R. §§ 17.48 (Notification of Extinguishment or Improper Functioning of Lights) and 17.51 (Time When Lights Should Be Exhibited). Philadelphia, PA District Office (1/6/03).
- 47 C.F.R. § 17.50 – Cleaning and Repainting
 - **John W. Ashley dba Ashley Communications, Plant City, Florida. \$10,000 NAL.** Tampa, FL District Office (1/22/03).
 - **Ad-Venture Media, Inc., WQRK, Bedford, Indiana. \$10,000 NAL.** Chicago, IL District Office (1/23/03).
 - **Robert B. Taylor, Fort Wayne, Indiana. \$10,000 NAL.** Chicago, IL District Office (1/23/03).
 - **Mercury Broadcasting Company, Inc., WKBF, Moline, Illinois. \$13,000 NAL.** Chicago, IL District Office (1/24/03).
 - **Martin D. Marshall, Etoile, Texas. \$10,000 NAL.** Other violation: 47 C.F.R. § 17.51 (Time When Lights Should Be Exhibited). Dallas, TX District Office (2/19/03).
 - **AAT Communications Corporation, Iselin, NJ. \$10,000 NAL.** Kansas City, MO District Office (2/27/03).
 - **Crown Communications, Inc., Hobbs, New Mexico. \$10,000 NAL.** Denver, CO District Office (2/28/03).
 - **Wanda Doonan Trust, Great Bend, KS. \$10,000 NAL.** Kansas City, MO District Office (3/3/03).
- 47 C.F.R. § 17.51 – Time When Lights Should Be Exhibited
 - **Barnacle Broadcasting Company, Ltd., Atlanta, Georgia. \$10,000 NAL.** Atlanta, GA District Office (1/21/03).
 - **Business Cell Systems, Athens, Tennessee. \$10,000 NAL.** Atlanta, GA District Office (1/23/03).
 - **Professional Communications, Inc., Houston, TX. \$10,000 NAL.** Kansas City, MO District Office (1/24/03).
 - **Jorge L. Estrada. \$10,000 NAL.** San Juan, PR Resident Agent Office (2/13/03).
 - **Crown Castle GT Company, LLC, Canonsburg, PA. \$10,000 NAL.** Atlanta, GA District Office (3/13/03).
- 47 C.F.R. § 17.57 – Report of Radio Transmitting Antenna Construction, Alteration, and/or Removal).
 - **Pamal Broadcasting Ltd., Latham, NY. \$3,000 NAL.** Tampa, FL District Office (1/8/03).
 - **Entravision Communications Corporation, KSSD-FM, Newport Beach, California. \$3,000 NAL.** Los Angeles, CA District Office (2/14/03).
 - **Tecnet, Inc., Jackson, Mississippi. \$4,500 NAL.** New Orleans, LA District Office (2/19/03).

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

- 47 C.F.R. § 73.49 – AM Transmission Fencing Requirements
 - *Mega Communications of New Britain Licensee, L.L.C., WLAT, New Britain, Connecticut.* \$7,000 NAL. Boston, MA District Office (2/14/03).
 - *Forrester et al., KLYR(AM), Clarksville, Arkansas.* \$7,000 NAL. New Orleans, LA District Office (2/19/03).
 - *Billy R. Autry, Holly Springs, MS.* \$11,000 NAL. Other violation: 47 C.F.R. § 73.1745 (Unauthorized Operation). New Orleans, LA District Office (3/17/03).
- 47 C.F.R. § 73.1745 – Unauthorized Operation
 - *Union Broadcasting, Inc., WHB, KCTE, Overland Park, Kansas.* \$18,000 NAL. Other violation: 47 C.F.R. § 73.3526 (Local Public Inspection File for Commercial Broadcast Stations). Kansas City, MO District Office (2/18/03).
- 47 C.F.R. § 73.3526 – Local Public Inspection File for Commercial Stations
 - *Community Broadcasting, Inc., Sunrise Beach, MO.* \$2,500 NAL. Kansas City, MO District Office (3/11/03).

47 C.F.R. Part 74 – Experimental Radio Auxiliary, Special Broadcast and Other Program Distributional Services

- 47 C.F.R. § 74.532 –Licensing Requirements
 - *Broadcast Learning Center, Inc., Cherry Hill, NJ.* \$4,000 NAL. Philadelphia, PA District Office (1/6/03).
- 47 C.F.R. § 74.1232 –Eligibility and Licensing Requirements
 - *Simmons-SLC, LS, LLC, KJQN, K264AC, Brigham City, UT.* \$4,000 NAL. Denver, CO District Office (1/6/03).

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

- 47 C.F.R. § 76.605 – Technical Standards
 - *AT&T Broadband, Jacksonville, FL.* \$8,000 NAL. Other violation: 47 C.F.R. § 76.611 (Cable Television Basic Signal Leakage Performance Criteria). Tampa, FL District Office (3/27/03).

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

- 47 C.F.R. § 90.403 – General Operating Requirements
 - *Mexicana Car and Limousine Services, Jackson Heights, NY.* \$4,000 NAL. New York, NY (1/2/03).

- ***Church Ave Car Service, Inc., Brooklyn, NY. \$4,000 NAL.*** New York, NY District Office (3/31/03).

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

- **47 C.F.R. § 97.101 – General Standards**
 - ***Scott E. Kamm, NOUGN, Sioux City, Iowa. \$12,000 NAL.*** Other violations: 47 C.F.R. §§ 97.113 (Prohibited Transmissions) and 97.119 (Station Identification). Kansas City, MO District Office (1/24/03).