

Federal Communications Commission

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

Certified Mail # 7001 0320 0004 8142 7746
Return Receipt Requested

In the Matter of)	
)	
Bresnan Communications, LLC)	File No. EB-05-DV-273
)	
Physical System ID # 002217)	NOV No. V20053280010
Riverton, Wyoming)	

NOTICE OF VIOLATION

Released: July 29, 2005

By the District Director, Denver Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Bresnan Communications, LLC ("Bresnan"), operator of a cable system in Riverton, Wyoming.
2. On June 14, 2005, an agent of the Commission's Denver Office inspected Bresnan's cable television system located in Riverton, Wyoming, and observed the following violation:
 - a. 47 C.F.R. § 76.605(a)(12): "As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carried by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in 76.609(h) and shall be limited as follows: Over 54 MHz up to and including 216 MHz – 20 micro-volts per meter, measured at 3 meters." At the time of the inspection, the agent observed signal leakage on the frequency of 121.2625 MHz at the following locations:

1) In alley behind 1103 Westview Drive	61 μ V/m
2) Inside the Super 8 Motel, 1040 North Federal Boulevard	142 μ V/m
3) In alley behind 906 East Roosevelt Avenue	51 μ V/m

¹47 C.F.R. § 1.89.

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3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Bresnan must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must 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 Bresnan. 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
Denver Office
215 S. Wadsworth Blvd., Suite 303
Lakewood, CO 80226

4. This Notice shall be sent by Certified Mail/Return Receipt Requested and regular mail to Bresnan Communications, LLC, 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

Nikki P. Shears
District Director
Denver Office
Western Region
Enforcement Bureau

²47 U.S.C. § 308(b).

³P.L. 93-579, 5 U.S.C. § 552a (e)(3).

⁴18 U.S.C. § 1001 *et seq.*