

Federal Communications Commission

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

In the Matter of)	
)	
The Real Stepchild Radio of Cincinnati, Inc.)	File No. EB-06-DT-185
Licensee of Radio Station WAIF)	
Facility ID # 63203)	NOV No. V20073236008
Cincinnati, Ohio)	
)	
)	

NOTICE OF VIOLATION

Released: April 9, 2007

By the District Director, Detroit Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to The Real Stepchild Radio of Cincinnati, Inc. licensee of Radio Station WAIF in Cincinnati, Ohio

2. On July 12, 2006, agents of the Commission's Detroit Office inspected radio station WAIF, located at 1434 East McMillan Street, Cincinnati, Ohio and observed the following violations:

- a. 47 C.F.R. § 11.15(a): "...A copy of the Handbook must be located at normal duty positions or EAS equipment locations when an operator is required to be on duty and be immediately available to staff responsible for authenticating messages and initiating actions." At the time of the inspection, the EAS handbook was not available.
- b. 47 C.F.R. § 73.1820(a)(1)(iii): "An entry of each test and activation of the Emergency Alert System (EAS) pursuant to the requirement of part 11 of this chapter and the EAS Operating Handbook. Stations may keep EAS data in a special EAS log which shall be maintained at a convenient location. However, this log is considered a part of the station log." At the time of the inspection, the agent observed that the entries in the EAS logs did not indicate the date and time of each test and whether the test was sent or received.
- c. 47 C.F.R. § 73.1870(b)(3): "...The designation of the chief operator must be in writing with a copy of the designation posted with the station license". At

¹ 47 C.F.R. § 1.89.

Federal Communications Commission

the time of the inspection, there was no written designation of the chief operator posted at the station.

- d. 47 C.F.R. § 73.1870(c)(3): The chief operator shall “[r]eview of the station records at least once each week to determine if required entries are being made correctly. Additionally, verification must be made that the station has been operated as required by the rules or the station authorization. Upon completion of the review, the chief operator or his designee must date and sign the log...” The agent observed that the logs were not being signed and dated by the chief operator.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, The Real Stepchild Radio of Cincinnati, Inc. must submit a written statement concerning this matter within twenty (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 the licensee with personal knowledge of the matter. 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
Detroit Office
24897 Hathaway Street
Farmington Hills, Michigan 48335

4. This Notice shall be sent to The Real Stepchild Radio of Cincinnati, Inc. 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

James Bridgewater
District Director
Detroit Office
Northeast Region
Enforcement Bureau

² 47 U.S.C. § 308(b).

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*