

**Federal Communications Commission**

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

In the Matter of	)	
	)	
Mount San Antonio Community College District	)	File No. EB-09-LA-0127
Licensee of Radio Station KSAK	)	
Facility ID # 46740	)	NOV No. V201032900006
Walnut, California	)	

**NOTICE OF VIOLATION**

**Released:** January 4, 2010

By the District Director, Los Angeles Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to Mount San Antonio Community College District, licensee of Noncommercial Educational FM Broadcast station KSAK in Walnut, CA. This Notice may be combined with a further action, if further action is warranted.<sup>2</sup>

2. On September 28, 2009, an agent of the Enforcement Bureau's Los Angeles Office inspected radio station KSAK in Walnut, CA, and observed the following violations:

47 C.F.R. § 11.52(d): "EAS participants must monitor two EAS sources. The monitoring assignments of each broadcast station and cable system and wireless cable system are specified in the State EAS Plan and FCC Mapbook."

At the time of the inspection, the agent found that KSAK was only monitoring one assigned source, KFI (AM). Neither KFVB (AM) nor KNX (AM) was being monitored as a second source.

3. As the nation's emergency warning system, the Emergency Alert System is critical to public safety, and we recognize the vital role that broadcasters play in ensuring its success. The Commission takes seriously any violations of the Rules implementing the EAS and expects full compliance from its regulatees. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Commission's Rules, we seek additional information concerning the violation and any remedial actions the station may have taken. Therefore, Mount San Antonio Community College District must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 C.F.R. § 1.89(a).

<sup>3</sup> 47 U.S.C. § 403.

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correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.<sup>4</sup>

4. In accordance with Section 1.16 of the Commission's Rules, we direct Mount San Antonio Community College District to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Mount San Antonio Community College District with personal knowledge of the representations provided in Mount San Antonio Community College District's response, verifying the truth and accuracy of the information therein,<sup>5</sup> and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>6</sup>

5. 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  
Los Angeles District Office  
18000 Studebaker Road, Suite 660  
Cerritos, CA 90703

6. This Notice shall be sent to Mount San Antonio Community College District, at its address of record.

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<sup>4</sup>47 C.F.R. § 1.89(c).

<sup>5</sup>Section 1.16 of the Commission's Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'" 47 C.F.R. § 1.16.

<sup>6</sup>18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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7. The Privacy Act of 1974<sup>7</sup> 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.

FEDERAL COMMUNICATIONS COMMISSION

Nader Haghghat  
District Director  
Los Angeles District Office  
Western Region  
Enforcement Bureau

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<sup>7</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).