

**Federal Communications Commission**

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

In the Matter of	)	
	)	
MBR Licensee, LLC	)	File No. EB-10-LA-0114
Licensee of Radio Station KIQQ	)	
Facility ID#: 60423	)	
Barstow, California	)	
	)	
	)	NOV No. V201032900015

**NOTICE OF VIOLATION**

Released: June 17, 2010

By the District Director, Los Angeles District 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 MBR Licensee, LLC, licensee of radio station KIQQ in Barstow, California.

2. On May 11, 2010, an agent of the Enforcement Bureau's Los Angeles office inspected KIQQ's transmitter site located at 710 W. Old Highway 58, Barstow, California, and observed the following violation:

- a. 47 C.F.R. § 73.49: "Antenna towers having radio frequency potential at the base (series fed, folded unipole, and insulated base antennas) must be enclosed with effective locked fences or other enclosures. Ready access must be provided to each antenna tower base for meter reading and maintenance purposes at all times. However, individual tower fences need not be installed if the towers are contained within a protective property fence." The agent observed that both towers were enclosed by individual fences but on the north tower the gate latch did not effectively engage the opposite fence pole on the fence, thus not preventing access to the tower base.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, MBR Licensee, LLC 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 MBR Licensee, LLC. All replies and

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 308(b).

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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 Office  
18000 Studebaker Rd.  
Suite 660  
Cerritos, CA 90703

4. This Notice shall be sent to MBR Licensee, LLC at its address of record.

5. The Privacy Act of 1974<sup>3</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. 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.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

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

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

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*