
Federal Communications Commission

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

In the Matter of)	
)	
Big Thicket Broadcasting Company of)	
Wyoming, Inc.)	File No. EB-10-DV-0077
Licensee of Radio Station KQSW)	
Facility ID No. 5300)	
Rock Springs, Wyoming)	NOV No. V201032800027
)	

NOTICE OF VIOLATION

Released: June 23, 2010

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 Big Thicket Broadcasting Company of Wyoming, Inc. ("Big Thicket"), licensee of radio station KQSW in Rock Springs, Wyoming.

2. On June 3, 2010, agents of the Enforcement Bureau's Denver Office, in response to a complaint of interference to VHF public safety communications atop the Aspen Mountain communications site serving Rock Springs, WY, monitored RF signals collocated at the transmitter site. During the over-the-air monitoring and subsequent inspection of radio station KQSW, serving Rock Springs, the agents observed the following violation:

- a. 47 C.F.R. § 73.1570(b)(2): "Maximum modulation levels must meet the following limitations: *FM Stations* (ii) In no event may the modulation of the carrier exceed 110 percent (82.5 kHz peak deviation)." At the time of monitoring and on-scene inspection, agents observed that the peak deviation of KQSW's RF signal was 92 kHz on several occasions, exceeding 110% (or 82.5 kHz peak deviation).

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Big Thicket 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 Big Thicket. All replies and documentation sent in

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 403.

Federal Communications Commission

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 District Office
215 S. Wadsworth Blvd., Suite 303
Lakewood, CO 80226

4. This Notice shall be sent to Big Thicket Broadcasting Company of Wyoming, 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

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

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*