

Federal Communications Commission

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

In the Matter of)	
)	
Vidion, Inc.)	File No. EB-10-DV-0127
Physical System ID # 021515)	
Silverton, Colorado)	NOV No. V201032800031
)	

NOTICE OF VIOLATION

Released: July 21, 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 Vidion, Inc. ("Vidion"), operator of a cable system in Silverton, Colorado.

2. On June 25, 2010, an agent of the Enforcement Bureau's Denver Office inspected the Vidion cable system located at Silverton, Colorado, and observed the following violations:

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, an agent observed signal leakage on the frequency of 121.275 MHz at the following location:

1) Near Front Entrance of Grand Imperial Hotel 180 µV/m

b. 47 C.F.R. § 76.612(a)(1): "All cable television systems which operate in the frequency bands 108-137 and 225-400 MHz shall comply with the following frequency separation standards: All such cable carriers or signal components shall be offset by 12.5 kHz with a frequency tolerance of +/- 5kHz." At the time of the inspection, an agent observed the following channel was operating outside the allowable frequency tolerance:

Channel 14 (A) Measured 121.275 MHz, Authorized 121.2625 MHz

¹ 47 C.F.R. § 1.89.

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3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Vidion 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 Vidion. 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 District Office
215 S. Wadsworth Blvd., Suite 303
Lakewood, CO 80226

4. This Notice shall be sent to Vidion, 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

² 47 U.S.C. § 403.

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*