
Federal Communications Commission

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

In the Matter of)	
)	
KDWN License Limited Partnership)	File No. EB-10-LA-0177
Licensee of Radio Station KDWN)	
Facility ID#: 54686)	
Henderson, Nevada)	
)	
)	NOV No. V201032900021

NOTICE OF VIOLATION

Released: September 03, 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,¹ to KDWN License Limited Partnership, licensee of radio station KDWN in Las Vegas, Nevada.

2. On June 21, 2010, an agent of the Enforcement Bureau's Los Angeles office inspected KDWN's transmitter site located on the NE corner of W. Galleria Drive and McCormick Road in Henderson, Nevada, 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 within 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 a hole in the chain-link fence enclosing the center tower (ASR # 1011960), which had been caused by recent vandalism. The agent also observed a "High Level Radio Frequency Energy Area" sign lying on the ground next to the hole in the fence.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, KDWN License Limited Partnership must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

Federal Communications Commission

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 KDWN License Limited Partnership. 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 Office
18000 Studebaker Road, Suite 660
Cerritos, CA 90703

4. This Notice shall be sent to KDWN License Limited Partnership 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

Nader Haghighat
District Director
Los Angeles 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.*