
Federal Communications Commission

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

In the Matter of)	
)	
Time Warner NY Cable LLC)	File No. EB-10-BF-0026
)	
Buffalo, New York		
Williamsville, New York)	NOV No. V201032280001

NOTICE OF VIOLATION

Released: September 13, 2010

By the Resident Agent, Buffalo Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules¹ to Time Warner NY Cable LLC (Time Warner), operator of a cable system serving Buffalo and Williamsville, New York.

2. On September 2, 2010, an agent of the Commission's Buffalo Office conducted an inspection of Time Warner's cable systems located in Buffalo and Williamsville, New York, and observed the following violations:

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, the agent measured signal leakage in excess of 20 µV/m on the frequency of 133.2625 MHz at the following locations:

Date	Frequency (MHz)	Signal Strength (µV/m)	Location
9/2/2010	133.2625	150	2323 Clinton Street, Buffalo
9/2/2010	133.2625	180	911 Cleveland Drive, Pole NG969, Williamsville

¹47 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, Time Warner must submit a written statement concerning this matter within twenty (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 Time Warner. 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
6400 Sheridan Drive
Suite 140
Williamsville, New York 14221

4. This Notice shall be sent to Time Warner 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

David A. Viglione
Resident Agent
Buffalo Office
Northeast Region
Enforcement Bureau

²47 U.S.C. § 403.

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*