

**Federal Communications Commission**

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

In the Matter of	)	
	)	
BGI Broadcasting L.P.	)	File No. EB-11-MA-0094
Licensee of Radio Station WBGF	)	
Facility ID #59661	)	
Belle Glade, FL 33430	)	
	)	
Owner of Antenna Structure Number	)	
1252640	)	
South Bay, FL	)	NOV No. V201132600004

**NOTICE OF VIOLATION**

**Released: June 28, 2011**

By the Resident Agent, Miami Office, South Central 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 BGI Broadcasting L.P., licensee of Radio Station WBGF in Belle Glade, FL and owner of antenna structure number 1252640 in South Bay, FL.

2. On June 21, 2011, agents of the Enforcement Bureau’s Miami Office inspected Station WBGF’s main studio located at 2001 North State Road 715, Belle Glade, FL 33430 and ASR #1252640 located at 100 Levee Road, South Bay, FL 33493, and observed the following violation(s):

- a. 47 C.F.R. § 17.4(g): “Antenna Structure Registration Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure.” At the time of inspection, there was no antenna structure registration number posted at or near the base of the antenna structure.
- b. 47 C.F.R. § 73.1870(b)(3): “The designation of the chief operator must be in writing with a copy of the designation posted with the station license.” At the time of inspection, there was no designation of the current chief operator posted with the station license.

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<sup>1</sup> 47 C.F.R. § 1.89.

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- c. 47 C.F.R. § 11.15: “The EAS Operating Handbook states in summary form the actions to be taken by personnel at EAS Participant facilities upon receipt of an EAN, an EAT, tests, or State and Local Area alerts. It is issued by the FCC and contains instructions for the above situations. A copy of the Handbook must be located at normal duty position or EAS equipment locations when an operator is required to be on duty and be immediately available to staff responsible for authenticating messages and initiating actions.” At the time of inspection, the EAS Operating Handbook was not present at the station’s normal duty position or EAS equipment location.
- d. 47 C.F.R. § 11.61(b): “Entries shall be made in EAS participant records as specified in §11.35(a) and §11.54(b)(13).” At the time of inspection, no EAS log was available for inspection.

3. Pursuant to section 403 of the Communications Act of 1934, as amended,<sup>2</sup> and section 1.89 of the Commission’s rules, BGI Broadcasting L.P., 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 the BGI Broadcasting L.P. 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  
Miami Office  
P.O. Box 570617  
Miami, FL 33122

4. This Notice shall be sent to by both Certified Mail/Return Receipt Requested and regular mail to BGI Broadcasting L.P. 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>

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<sup>2</sup> 47 U.S.C. § 403.

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

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

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Michael Mattern  
Resident Agent  
Miami District Office  
South Central Region  
Enforcement Bureau