

Federal Communications Commission

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

In the Matter of)	
)	
Bicoastal Media Licenses VI, LLC)	File No. EB-11-PO-0046
Licensee of Station KLDZ)	
Facility ID # 40983)	
)	
Medford, Oregon)	NOV No. V201132920008
)	

NOTICE OF VIOLATION

Released: July 5, 2011

By the Resident Agent, Portland Resident Agent 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 Bicoastal Media Licenses VI, LLC ("Bicoastal Media"), licensee of radio station KLDZ in Medford, Oregon. This Notice may be combined with a further action, if further action is warranted.²

2. On June 15, 2011, an agent of the Enforcement Bureau's Portland Resident Agent Office inspected radio station KLDZ located at 3624 Avion Drive, Medford, Oregon, and observed the following violation:

- a. 47 C.F.R. § 11.61(a)(2)(i)(A): "Required Weekly Tests: Analog and digital AM, FM, and TV broadcast stations must conduct tests of the EAS headers and EOM codes at least once a week at random days and times..." During the inspection on June 15, 2011, the FCC inspector determined that KLDZ did not conduct the Required Weekly Tests from the period from June 1 through June 15, 2011.

3. As the nation's emergency warning system, the Emergency Alert System is critical to public safety, and we recognize the vital role that broadcasters play in ensuring its success. The Commission takes seriously any violations of the Rules implementing the EAS and expects full compliance from its regulatees. Pursuant to Section 403 of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's Rules, we seek additional information concerning the

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

³ 47 U.S.C. § 403.

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violations and any remedial actions the station may have taken. Therefore, Bicoastal Media, must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Commission's Rules, we direct Bicoastal Media to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Bicoastal Media with personal knowledge of the representations provided in Bicoastal Media's response, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. 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
Portland Resident Agent Office
PO Box 61469
Vancouver, Washington 98666-1469

6. This Notice shall be sent to Bicoastal Media Licenses VI, LLC its address of record.

⁴47 C.F.R. § 1.89(c).

⁵Section 1.16 of the Commission's Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'. " 47 C.F.R. § 1.16.

⁶18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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7. The Privacy Act of 1974⁷ 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.

FEDERAL COMMUNICATIONS COMMISSION

Binh Nguyen
Resident Agent
Portland Resident Agent District Office
Western Region
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).