
Federal Communications Commission

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

In the Matter of)	
)	
Educational Communications of)	File No. EB-11-DV-0259
Colorado Springs, Inc.)	
FM Translator K292FM)	
Facility ID # 138285)	NOV No. V201232800002
Denver, CO)	
)	

NOTICE OF VIOLATION

Released: October 31, 2011

By the District Director, Denver District 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 Educational Communications of Colorado Springs, Inc. ("ECCI"), license of FM Translator Station K292FM, licensed to Denver, Colorado.

2. On September 11, 2011, in response to a complaint from the FAA regarding interference to its operation on 118.9 MHz, an agent of the Enforcement Bureau's Denver Office monitored radio station K292FM located atop Lookout Mountain in Golden, Colorado, and observed the following violation:

- a. 47 C.F.R. §74.1203(e): "It shall be the responsibility of the licensee of an FM translator or FM booster station to correct any condition of interference which results from the radiation of radio frequency energy by its equipment on any frequency outside the assigned channel. Upon notice by the Commission to the station licensee that such interference is being caused, the operation of the FM translator or FM booster station shall be suspended within three minutes and shall not be resumed until the interference has been eliminated or it can be demonstrated that the interference is not due to spurious emissions by the FM translator or FM booster station; provided, however, that short test transmissions may be made during the period of suspended operation to check the efficacy of remedial measures." In response to the complaint, the Denver agent located the source to the K292FM transmitter site. When notified by the Denver agent on September 12, 2011, that K292FM was determined to be the source of the spurious emissions, ECCI's representative suspended the translator's operation.

¹ 47 C.F.R. § 1.89.

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3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, ECCI 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 ECCI. 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., # 303
Lakewood, CO 80226

4. This Notice shall be sent to Educational Communications of Colorado Springs, 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. § 308(b).

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*