

**Federal Communications Commission**

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

In the Matter of	)	
	)	
Double O Texas Corporation	)	File No. EB-11-DL-0047
Licensee of Radio Station KKCEN	)	
Facility ID # 124900	)	NOV No. V201232500002
San Angelo, TX	)	
	)	
	)	

**NOTICE OF VIOLATION**

**Released: Jan 12, 2012**

By the By the District Director, Dallas 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 Double O Texas Corporation, licensee of Station KKCEN in San Angelo, Texas.
2. On July 5, 2011, an agent of the Enforcement Bureau’s Dallas Office monitored Station KKCEN and observed the following violation(s):
  - a. 47 C.F.R. § 73.317(d):“Any emission appearing on a frequency removed from the carrier by more than 600 kHz must be attenuated at least 43 + 10 Log<sub>10</sub> (Power, in watts) dB below the level of the unmodulated carrier, or 80 dB, whichever is the lesser attenuation.” At the time of inspection, the spurious emissions from Station KKCEN on the frequency 103.1 MHz, attenuated -50 dB to the carrier on 104.8 MHz.
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, we seek additional information concerning the violation(s) and any remedial actions the station may have taken. Therefore, Double O Texas Corporation must submit a written statement concerning this matter within twenty (20) calendar 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

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<sup>1</sup>47 C.F.R. § 1.89.

<sup>2</sup>47 U.S.C. § 403.

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response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.<sup>3</sup>

4. In accordance with Section 1.16 of the Commission's rules, we direct Double O Texas Corporation to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Double O Texas Corporation with personal knowledge of the representations provided in Double O Texas Corporation response, verifying the truth and accuracy of the information therein,<sup>4</sup> 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.<sup>5</sup>
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  
Dallas Office  
9330 LBJ Freeway Suite # 1170  
Dallas, Texas 75243

6. This Notice shall be sent to Double O Texas Corporation at its address of record.
7. The Privacy Act of 1974<sup>6</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.

FEDERAL COMMUNICATIONS COMMISSION

James D. Wells  
District Director  
Dallas District Office  
South Central Region  
Enforcement Bureau

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<sup>3</sup>47 C.F.R. § 1.89(c).

<sup>4</sup>Section 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.

<sup>5</sup>18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

<sup>6</sup>P.L. 93-579, 5 U.S.C. § 552a(e)(3).