
Federal Communications Commission

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

In the Matter of)	
)	
Prestige Communications Inc.)	File No.: EB-FIELDNER-12-00004499
Licensee of Station WLRB)	
Facility ID # 60017)	NOV No.: V201332320002
Macomb, IL)	

NOTICE OF VIOLATION

Released: October 9, 2012

By the District Director, Chicago Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to Prestige Communications Inc., licensee of AM Station WLRB in Macomb, Illinois. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violations noted herein.²

2. On September 18, 2012, an agent of the Enforcement Bureau's Chicago Office inspected Station WLRB located at Macomb, Illinois, and observed the following violations:

- a. 47 C.F.R. § 73.1590: "(a) The licensee of each AM . . . station . . . must make equipment performance measurements for each main transmitter as follows: . . . (6) Annually, for AM stations, with not more than 14 months between measurements." At the time of the inspection, there was no copy of the equipment performance measurements for Station WLRB evidenced.
- b. 47 C.F.R. § 73.1820(a): ". . . The following information must be entered: . . . (1)(iii) An entry of each test and activation of the Emergency Alert System (EAS) pursuant to the requirement of part 11 of this chapter and the EAS Operating Handbook. Stations may keep EAS data in a special EAS log which shall be maintained at a convenient location; however, this log is considered a part of the station log." At the time of inspection, there was no log of each test and activation of the Emergency Alert System for June, July, and August 2012.

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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- c. 47 C.F.R. § 73.1870: “(a) The licensee of each AM, FM, TV or Class A TV broadcast station must designate a person to serve as the station’s chief operator. . . . (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 written designation of a chief operator for Station WLRB.
- d. 47 C.F.R. § 73.3526(e): “Contents of the file. The material to be retained in the public inspection file is as follows: . . . (12) Radio issues/programs lists. For commercial AM and FM broadcast stations, every three months a list of programs that have provided the station’s most significant treatment of community issues during the preceding three month period. The list for each calendar quarter is to be filed by the tenth day of the succeeding calendar quarter (e.g., January 10 for the quarter October—December, April 10 for the quarter January—March, etc.). The list shall include a brief narrative describing what issues were given significant treatment and the programming that provided this treatment. The description of the programs shall include, but shall not be limited to, the time, date, duration, and title of each program in which the issue was treated.” At the time of the inspection, the public file was missing the radio issues/programs lists for the 4th Quarter of 2011 and 1st and 2nd Quarters of 2012.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Prestige Communications Inc. 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 actions. 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 Rules, we direct Prestige Communications Inc., to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Prestige Communications Inc., with personal knowledge of the representations provided in the Prestige Communications Inc., 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

³ 47 U.S.C. § 308(b).

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the 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.

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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
Chicago Office
1550 North Northwest Highway, Room 306
Park Ridge, IL 60068

6. This Notice shall be sent to Prestige Communications Inc. at its address of record.

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

James M. Roop
District Director
Chicago District Office
Northeast Region
Enforcement Bureau

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

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).