
Federal Communications Commission

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

In the Matter of)	
)	
Adelman Broadcasting, Inc.)	File No. EB-FIELDWR-12-00002874
Licensee of Station WPOP540)	
)	
)	NOV No. V201332900004
Ridgecrest, CA)	

NOTICE OF VIOLATION

Released: November 30, 2012

By the Acting District Director, Los Angeles Office, Western 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 Adelman Broadcasting Inc., licensee of radio station WPOP540 in Ridgecrest, California. 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 violation noted herein.²

2. On June 18, 2012, an agent of the Enforcement Bureau's Los Angeles Office monitored and inspected radio station WPOP540 located at Ridgecrest, and observed the following violation:

- a. 47 C.F.R. § 1.903(a): *General rule*. Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this section." According to its license, WPOP540 is authorized as the aural studio-to-transmitter link (STL) associated with KLOA, which is an AM radio station (facility identification #459). However, during the monitoring and inspection by the Los Angeles agent, station WPOP540 was not serving as the STL for KLOA(AM) but was serving as the aural STL for KLOA-LP, which is a low power television station with facility identification # 28583.

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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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, Adelman Broadcasting 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 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 Rules, we direct Adelman Broadcasting 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 Adelman Broadcasting Inc. with personal knowledge of the representations provided in Adelman Broadcasting Inc.'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
Los Angeles Office
18000 Studebaker Rd., Suite 660
Cerritos, CA 90703

6. This Notice shall be sent to Adelman Broadcasting Inc. at its address of record.

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.

⁶ 18 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. 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.⁸

FEDERAL COMMUNICATIONS COMMISSION

Margaret M. Egler
Acting District Director
Los Angeles Office
Western Region
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁸ 18 U.S.C. § 1001 *et seq.*