
Federal Communications Commission

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

In the Matter of)	
)	
Radio Palouse, Inc.)	File No.: EB-FIELDWR-13-00008931
Licensee of Radio Station KHTR(FM),)	NOV No.: V201332980013
)	
Pullman, Washington)	Facility ID: 54722

NOTICE OF VIOLATION

Released: June 5, 2013

By the Acting District Director, Seattle 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 Radio Palouse Inc., licensee of FM station KHTR in Pullman Washington. 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 May 22, 2013, an agent of the Enforcement Bureau's Seattle Office inspected station KHTR at its main studio at 1101 Old Wawawai Road, Pullman, Washington. The agent observed the following violations:

- a. 47 C.F.R. § 73.3526(e)(7): "Contents of the file. The material to be retained in the public inspection file is as follows: (7) Equal Employment Opportunity file. Such information as is required by § 73.2080 to be kept in the public inspection file. These materials shall be retained until final action has been taken on the station's next license renewal application." During the inspection on May 22, 2013 the file did not contain the EEO information required by § 73.2080.
- b. 47 C.F.R. § 73.3526(e)(8): "Contents of the file. The material to be retained in the public inspection file is as follows: (8) The public and broadcasting. At all times, a copy of the most recent version of the manual entitled "The Public and Broadcasting." During the inspection on May 22, 2013 there was

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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no copy of “The Public and Broadcasting” in the public file.

- c. 47 C.F.R. § 73.1870(b)(3): “The designation of the chief operator must be in writing with a copy of the designation posted with the station license. Agreements with the chief operators serving on a contract must be in writing with a copy kept in the station files.” During the inspection on May 22, 2013 there was no posted chief operator designation nor was a copy readily available.

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, Radio Palouse 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 Radio Palouse 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 Radio Palouse Inc. with personal knowledge of the representations provided in Radio Palouse 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 regulatee’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:

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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Seattle District Office
11410 NE 122nd Way, Suite 312
Kirkland, Washington 98034

6. This Notice shall be sent to Radio Palouse 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

Binh Nguyen
Acting District Director
Seattle District Office
Western Region
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).