

Federal Communications Commission

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

In the Matter of)	
)	
Quinlan Church of Christ)	File No.: EB-FIELDSCR-15-00020442
Licensee of Station KTTR-LP)	
)	NOV No.: V20163250001
Quinlan, TX)	
)	Facility ID: 194278
)	

NOTICE OF VIOLATION

Released: February 2, 2016

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 (Rules)¹ to Quinlan Church of Christ, licensee of Station KTTR-LP in Quinlan, Texas. 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(s) noted herein.²

2. On December 2, 2015, an agent of the Enforcement Bureau’s Dallas Office inspected Station KTTR-LP located in Quinlan, Texas, and observed the following violation(s):

- a. 47 C.F.R. § 11.52(d): “[Emergency Alert System] EAS Participants must monitor two EAS sources. The monitoring assignments of each broadcast station, cable system and wireless cable system are specified in the State EAS Plan and FCC Mapbook. They are developed in accordance with FCC monitoring priorities.” At the time of the inspection, Station KTTR-LP was not able to provide or to test the LP1 & LP2 monitoring connection to the EAS equipment.
- b. 47 C.F.R. § 73.845: “Each LPFM licensee is responsible for maintaining and operating its broadcast station in a manner that complies with the technical rules set forth elsewhere in this part and in accordance with the terms of the station authorization. In the event that an LPFM station is operating in a

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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manner that is not in compliance with the technical rules set forth elsewhere in this part or the terms of the station authorization, broadcast operation must be terminated within three hours.” During the investigation, it was determined that Station KTTR-LP had been operating on the frequency 95.7 MHz. The station is authorized to operate on 95.5 MHz.

- c. 47 C.F.R. § 73.877: “The licensee of each LPFM station must maintain a station log. Each log entry must include the time and date of observation and the name of the person making the entry.” At the time of the inspection, Station KTTR-LP only had station logs for November 1, 2015 and November 28, 2015. There were no CAP-formatted EAS messages or EAS logs available for inspection.

3. As the nation’s emergency warning system, the Emergency Alert System is critical to public safety, and we recognize the vital role that broadcasters play in ensuring its success. The Commission takes seriously any violations of the Rules implementing the EAS and expects full compliance from its licensees.

4. 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, Quinlan Church of Christ 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

5. In accordance with Section 1.16 of the Rules, we direct Quinlan Church of Christ to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Quinlan Church of Christ with personal knowledge of the representations provided in Quinlan Church of Christ’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

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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imprisonment under Title 18 of the U.S. Code.⁶

6. 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, TX, 75243

7. This Notice shall be sent to Quinlan Church of Christ at its address of record.

8. 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 D. Wells
District Director
Dallas Office
South Central 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).