

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

In the Matter of)	
)	
California Black Chamber of Commerce)	File No.: EB-FIELDWR-18-00026175
Licensee of Radio Station KDEE-LP)	
)	
Facility ID Number 123915)	
)	
Sacramento, California)	

NOTICE OF VIOLATION

Released: September 12, 2019

By the Regional Director, Region Three, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to section 1.89 of the Commission's rules (Rules)¹ to California Black Chamber of Commerce (CBCC), licensee of radio station KDEE-LP in Sacramento, 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 violations noted herein.²

2. On April 25, 2019, an Agent of the Enforcement Bureau's San Francisco Office conducted an inspection and observed the following violations:

- a. 47 CFR § 11.52(d)(1): "With respect to monitoring for EAS messages that are formatted in accordance with the EAS Protocol, EAS Participants must monitor two sources. The monitoring assignments of each broadcast station and cable system and wireless cable system are specified in the State EAS Plan and FCC Map Book. They are developed in accordance with FCC monitoring priorities." According to the State of California Emergency Alert System Plan, Version 2.0 Dated October 11, 2017, the two sources of monitoring assignments in the Sacramento - Sierra Metro Operational Area include: KFBK-AM (1530 kHz) as LP1 and KEDR (88.1 MHz) as LP2. During the inspection the Agent noted that KDEE-LP monitored only one source, LP1 KFBK-AM (1530 kHz).
- b. 47 CFR § 73.875(b)(2): "The following changes may be made only after the grant of a construction permit application on FCC Form 318. ...Any change in station geographic coordinates, including coordinate corrections and any move of the antenna to another tower structure

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

located at the same coordinates.” At the time of inspection, the Agent found that the coordinates of the actual location of the transmitting antenna were not the same as the coordinates on the station license.

3. Pursuant to section 308(b) of the Communications Act of 1934, as amended,³ section 403 of the Communications Act of 1934, as amended,⁴ and section 1.89 of the Rules, we seek additional information concerning the violation and any remedial actions taken. Therefore, CBCC 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.⁵

4. In accordance with section 1.16 of the Rules, we direct CBCC to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of the CBCC with personal knowledge of the representations provided in the response, verifying the truth and accuracy of the information therein,⁶ and confirming that all of the information requested by this Notice which is in the CBCC’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.⁷

5. All replies and documentation sent in response to this Notice should be marked with the File No. specified above, and mailed to the following address:

Federal Communications Commission
Los Angeles Regional Office
11331 183rd Street, PMB #365
Cerritos, CA 90703
Field @FCC.gov

6. This Notice shall be sent to California Black Chamber of Commerce, 1600 Sacramento Inn Way, Suite 232, Sacramento, CA 95815.

³ 47 U.S.C. § 308(b).

⁴ 47 U.S.C. § 403.

⁵ 47 CFR § 1.89(c).

⁶ 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 CFR § 1.16.

⁷ 18 U.S.C. § 1001 *et seq.* See also 47 CFR § 1.17.

7. The Privacy Act of 1974⁸ 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

Lark Hadley
Regional Director
Region Three
Enforcement Bureau

⁸ P.L. 93-579, 5 U.S.C. § 552a(e)(3).