

Federal Communications Commission

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

In the Matter of)	
)	
Adelphia Communications Corporation)	File No. EB-03-DT-888
Marblehead, Ohio)	
)	
Attention: Kevin Alessio)	NOV No. V20043236003

NOTICE OF VIOLATION

Released: October 16, 2003

By the District Director, Detroit Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Adelphia Communications Corporation, operator of the cable system serving Marblehead, Ohio.

2. On September 22, 2003, agents of the Commission's Detroit Office inspected the cable system in Marblehead, Ohio and observed the following violation:

- a. 47 C.F.R. § 76.605 (a)(12): "...signal leakage from a cable television system shall be measured ... and shall be limited as follows:" This section requires that cable operators maintain their cable system signal leakage below 20 $\mu\text{V}/\text{m}$ in the frequency band between 54 MHz and 216 MHz. On the frequency of 121.2625 MHz at a distance of 3 meters from the cable system components and 3 meters above ground, the following cable system leaks were detected above 20 $\mu\text{V}/\text{m}$.

LOCATION OF MEASUREMENTS (MARBLEHEAD, OHIO)	FIELD STRENGTH $\mu\text{V}/\text{m}$
1. Pole at entrance to KASPAR's Lake Breeze Cabins 11106 Lakeland Drive.	716
2. Pole to the right of 149 Alexander Pike	199
3. Pole across from 402 Frances Street	161
4. Pole across from 10181 E. Bayshore Road	161

¹ 47 C.F.R. § 1.89.

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5. Pole to the right of 1480 S. Hartshorn (the
J. Tracey Produce Stand). 387

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Adelphia Communications Corporation, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. 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
Detroit Office
24897 Hathaway Street
Farmington Hills, Michigan 48335-1552

4. This Notice shall be sent to Adelphia Communications Corporation, 1801 Elyria Avenue, Lorain, Ohio 44052.

5. The Privacy Act of 1974³ 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.⁴

FEDERAL COMMUNICATIONS COMMISSION

James A. Bridgewater
District Director
Detroit Office

JAB:PSM

² 47 U.S.C. § 308(b).

³ P.L. 93-579, 5 U.S.C. § 552a (e) (3).

⁴ 18 U.S.C. § 1001 *et seq.*