

Federal Communications Commission

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

In the Matter of)	
)	
Adelphia Cable Communications)	File No. EB-03-BF-122
Buffalo, New York)	
)	NOV No. V20043228003
)	
Attention: Steve Paulik)	

NOTICE OF VIOLATION

Released: October 30, 2003

By the Resident Agent, Buffalo 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 Cable Communications, operator of the cable system serving Hamburg/Buffalo, New York.

2. On October 23, 2003, an agent of the Commission's Buffalo Office inspected the cable system in Hamburg/Buffalo, New York and observed the following violation:

47 C.F.R. § 76.605 (a)(12): "... signal leakage from a cable television system shall be measured in accordance with the procedures outlined in § 76.609(h) and shall be limited as follows:....Over 54 up to and including 216 MHz, 20 uv/m." The agent detected and measured signal leakage in excess of 20 microvolts per meter allowed by the rules at the following locations in Hamburg/Buffalo, New York with the indicated field strength in microvolts per meter.

- | | |
|---|----------|
| 1. Comfort Inn, Commerce Place, Hamburg, NY | 180 uv/m |
| 2. Stone & Bailey, Buffalo, NY | 210 uv/m |
| 3. 247 Brinkman, Buffalo, NY | 185 uv/m |
| 4. 80-82 Zenner, Buffalo, NY | 220 uv/m |
| 5. Opposite 155 Nevada, Buffalo, NY | 165 uv/m |

¹ 47 C.F.R. § 1.89.

Federal Communications Commission

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Adelpia Cable Communications 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 cable system 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
Buffalo Office
1307 Federal Building
Buffalo, New York 14202

4. This Notice shall be sent to Adelpia Cable Communications, Attn: Steve Paulik, 1700 Commerce Parkway, Lancaster, New York 14086.

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

David A. Viglione
Resident Agent
Buffalo Office

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.*