

Federal Communications Commission

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

In the Matter of)	
)	
Vernon R. Baldwin, Inc.)	File No. EB-03-DT-788
Licensee of Radio Station WWLT)	
Facility ID # 72442)	NOV No. V20043236008
Manchester, KY)	

NOTICE OF VIOLATION

Released: January 8, 2004

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 Vernon R. Baldwin, Inc., licensee of radio station WWLT.

2. On December 16, 2003, an agent of the Commission's Detroit Office inspected radio station WWLT, licensed to Manchester, Kentucky, and observed the following violation(s):

- a. 47 C.F.R. § 11.52(d): "Broadcast stations ... must monitor two EAS sources. The monitoring assignments of each broadcast station ... are specified in the State EAS Plan and FCC Mapbook. They are also developed in accordance with FCC monitoring priorities..." At the time of inspection, the incorrect EAS sources were being monitored.
- b. 47 C.F.R. § 73.1820(a)(1)(iii): "Station Log. Entries must be made in the station log...An entry of each test and activation of the Emergency Alert System (EAS)..." During the period from November 2, 2003 to December 13, 2003, there were no entries of EAS received tests
- c. 47 C.F.R. § 73.3526(e)(8): "Contents of the file. The material required to be retained in the public inspection file is as follows:...*The public and broadcasting*. At all times, a copy of the most recent version of the manual entitled "The Public and Broadcasting." At the time of inspection, there was no copy of "The Public and Broadcasting" in the public inspection file.
- d. 47 C.F.R. § 73.3526(e)(9): "Contents of the file. The material required to be retained in the public inspection file is as follows:...*Letters and e-mail from the public*. All written comments and suggestions from the public regarding

¹ 47 C.F.R. § 1.89.

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operation of the station, unless the letter writer has requested that the letter not be made public or when the licensee feels that it should be excluded from public inspection because of the nature of its content, such as a defamatory or obscene letter...shall be retained for a period of three years from the date on which they are received by the licensee..." At the time of inspection, there were no letters or emails from the public in the public inspection file.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Vernon R. Baldwin, Inc., 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, MI 48335

4. This Notice shall be sent to Vernon R. Baldwin, Inc., Radio Station WWLT, 8686 Michael Lane, Fairfield, Ohio 45014. A copy shall also be sent to Vernon R. Baldwin, Inc., Radio Station WWLT, 402 South Broad Street, London, Kentucky 40471.

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

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.*