

Federal Communications Commission

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

Certified Mail #7001 0320 0002 9837 2284
Return Receipt Requested

In the Matter of)	
)	
Visionary Related Entertainment)	File No. EB-03-HL-090
Licensee of FM Broadcast Station KAOI-FM)	
P.O. Box 15261)	NOV No. V20043286002
Santa Rosa, CA 95402)	
)	
)	

NOTICE OF VIOLATION

Released: February 26, 2004

By the Honolulu Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Visionary Related Entertainment, licensee of FM Broadcast Station KAOI-FM.

2. On January 26, 2004, agents of the Commission's Honolulu Office inspected the KAOI-FM antenna installation, 2.4 kilometers southeast of the Makena Post Office, Maui, Hawaii, and observed the following violation:

47 C.F.R. § 73.1690(c)(1): "The following FM, TV and Class A station modifications may be made without prior authorization from the Commission. A modification of license application must be submitted to the Commission within 10 days of commencing program test operations pursuant to § 73.1620.² (1) Replacement of an omnidirectional antenna with one of the same or different number of antenna bays, provided that the height of the antenna radiation center is not more than 2 meters above or 4 meters below the authorized values." Specifically, the observed antenna height of radiation center above ground level ("RCAGL") is approximately 14 meters, and the authorized RCAGL is 25 meters.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's Rules, Visionary Related Entertainment must submit a written

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 73.1620

³ 47 U.S.C. § 308(b).

Federal Communications Commission

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. 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
Honolulu Office
P.O. Box 971030
Waipahu, Hawaii 96797-1030

4. This Notice shall be sent by certified mail, return receipt requested, to Visionary Related Entertainment, P.O. Box 15261, Santa Rosa, CA 95402.

5. The Privacy Act of 1974⁴ 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.⁵

FEDERAL COMMUNICATIONS COMMISSION

John R. Raymond
Resident Agent
Honolulu Office

⁴ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁵ 18 U.S.C. § 1001 *et seq.*

