

Federal Communications Commission

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

In the Matter of)	
)	
NBC Subsidiary (WCAU-TV), L.P.)	File No. EB-04-PA-053
)	
Philadelphia, Pennsylvania)	NOV No. 20043240009
)	

NOTICE OF VIOLATION

Released: March 17, 2004

By the District Director, Philadelphia Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to NBC Subsidiary (WCAU-TV), L.P. ("NBC"), the licensee of remote pick-up station WQA948.

2. On March 10, 2004, an agent of the Commission's Philadelphia Office inspected station WQA948 and observed the following violation:

- a. 47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Service must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part."

The license for station WQA948 authorizes NBC to operate remote pick-up stations on the frequencies 455.5125 MHz and 455.3875 MHz. However, NBC was operating the stations on the frequencies 455.5125 MHz and 455.2125 MHz.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, NBC 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 actions taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective actions. 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

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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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
Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to NBC Subsidiary (WCAU-TV), L.P., 10 Monument Road, Bala Cynwyd, Pennsylvania 19004.

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

John E. Rahtes
District Director
Philadelphia Office

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*