

**Federal Communications Commission**

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

In the Matter of	)	
	)	
Comcast Cablevision of Garden State, LP	)	File No. EB-04-PA-055
	)	
Philadelphia, Pennsylvania	)	NOV No. V20043240013
	)	

**NOTICE OF VIOLATION**

**Released: March 19, 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,<sup>1</sup> to Comcast Cablevision of Garden State, LP ("Comcast"), the operator of a cable system in Pennsauken, New Jersey.

2. On March 10, 2004, an agent of the Commission's Philadelphia Office inspected the Emergency Alert System ("EAS") at Comcast's head-end in Audobon, New Jersey. This is the principal head-end that serves the Pennsauken, New Jersey community. During the inspection, the Philadelphia Office found the following violation:

47 C.F.R. § 11.52(d): "Broadcast stations and cable systems and wireless cable systems must monitor two EAS sources. The monitoring assignments of each broadcast station, cable system and wireless cable system are specified in the State EAS Plan and FCC Mapbook. They are developed in accordance with FCC monitoring priorities." Comcast was monitoring WPST 97.5 MHz, WKDN 106.9 MHz and the National Weather Service for EAS activations. However, the New Jersey Emergency Alert System Plan specifies that a cable system serving Pennsauken, New Jersey must monitor the following sources for EAS activations in this priority:

1. The Local Primary 1 Station WKDN 106.9 MHz, and
2. Either WABC 770 kHz in New York City or one of the New Jersey Networks FM radio stations (WNJS 88.1, WNJB 89.3, WNJN 89.7, WNJZ 90.3, WNJT 88.1 WNJP 88.5).
3. The National Weather Service

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<sup>1</sup> 47 C.F.R. § 1.89.

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3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Comcast 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 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 Comcast Cablevision of Garden State, L.P., Attn: Michael Taylor, 401 White Horse Road, Suite 2, Voorhees, New Jersey 08043.

5. The Privacy Act of 1974<sup>3</sup> 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.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

John E. Rahtes  
District Director  
Philadelphia Office

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<sup>2</sup> 47 U.S.C. § 308(b).

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

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*