

Federal Communications Commission

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

In the Matter of)	
)	
Charter Communications)	File No. EB-04-OR-096
Operator of Cable Television System)	
New Roads, Louisiana)	NOV No. V20043262006

NOTICE OF VIOLATION

Released: June 9, 2004

By the District Director, New Orleans Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Charter Communications, operator of a cable television system in New Roads, Louisiana.

2. On April 28, 2004, an agent of the Commission's New Orleans Office inspected the cable television system in New Roads, Louisiana, and observed the following violation(s):

- a. 47 C.F.R. § 76.605(a)(12): As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carriers by the cable television system, 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 MHz, and less than and including 216 MHz - 20 micro-volts per meter measured at 3 meters.

At the time of inspection, signal leakage was observed on the frequency of 133.2625 MHz as follows:

112 µV/m	Corner 5th Street and Poydras
218 µV/m	1309 Richey Street
98 µV/m	813 Lindsly Street
141 µV/m	125 Cherry (or Curet) Street
116 µV/m	1502 False River Drive
1094 µV/m	Apartments at end of Ewing Street Behind Buildings P and Q

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, Charter 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 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
New Orleans Office
Room 460
2424 Edenborn Avenue
Metairie, Louisiana 70001

4. This Notice shall be sent to Charter Communications, 3421 Ewing Street, New Roads, Louisiana 70760.

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 C. Hawkins
District Director
New Orleans 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.*