

**Federal Communications Commission**

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

In the Matter of	)	
	)	
Precis Communications LLC	)	File No. EB-04-DV-122
Physical ID # 8453	)	
Kanab, Utah	)	NOV No. V20043280004
	)	
Attention: Paul Harvey	)	

**NOTICE OF VIOLATION**

**Released: May 4, 2004**

By the District Director, Denver 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 Precis Communications, LLC ("Precis"), operator of the cable television system serving Kanab, Utah.

2. On April 20, 2004, agents of the Commission's Denver Office inspected Precis' cable television system in Kanab, Utah, and observed the following violation(s):

- a. 47 C.F.R. § 76.605(a)(12): "As an exception to the general provisions requiring measurements to be made at subscriber terminals, and without regard to the type of signals carriers by the cable television system, signal leakage shall be measured in accordance with the procedures outlined in 76.609(h) and shall be limited as follows: Over 54 MHz up to and including 216 MHz – 20 micro-volts per meter, measured at 3 meters." On April 20, 2004, the agents observed the following signal leakage on the frequency of 121.2625 MHz:

- |   |           |
|---|-----------|
| 1. Front of 159 East 100 South                        | 101 µV/m  |
| 2. Pole near 165 East 400 South                       | 97 µV/m   |
| 3. SW Corner of Center and 100 W (Best Western Hotel) | 1293 µV/m |
| 4. Pole on south side of 130 South Main               | 88 µV/m   |

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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, Precis 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. 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  
Denver Office  
215 S. Wadsworth Blvd., Suite 303  
Lakewood, CO 80226

4. This Notice shall be sent Certified Mail/Return Receipt Requested and regular mail to Precis Communications LLC, Attention: Paul Harvey, 1750 South Highway 10, Price, Utah 84501.

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

Nikki P. Shears  
District Director  
FCC Denver 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.*