

Federal Communications Commission

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

| | | |
|------------------------------|---|-----------------------|
| In the Matter of |) | |
| |) | |
| Central Telcom Services, LLC |) | File No. EB-04-DV-124 |
| dba CUTV |) | |
| Physical ID # 016594 |) | NOV No. V20043280005 |
| Annabella and Jensen, Utah |) | |
| |) | |

NOTICE OF VIOLATION

Released: May 12, 2004

By the District Director, Denver Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Central Telcom Services, LLC, dba CUTV, operator of the cable television system serving Annabella and Jensen, Utah.

2. On April 22, 2004, agents of the Commission's Denver Office inspected CUTV's cable television system serving Annabella and Jensen, Utah, and observed the following violation:

- 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 22, 2004, the agents observed the following signal leakage on the frequency of 121.2625 MHz:

- | | |
|---|----------------|
| 1. Pedestal in front of 985 N. Main Street (Jensen) | 1070 μ V/m |
| 2. Front of 210 South 100 East (Annabella) | 320 μ V/m |

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² 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

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

Federal Communications Commission

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 Request and regular mail to Attention: George Lee, Central Telcom Services, LLC, dba CUTV, PO Box 7, Fairview, Utah 84629.

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

Nikki P. Shears
District Director
Denver Office

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*