

**Federal Communications Commission**

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

In the Matter of	)	
	)	
Carmel Cable Television, Inc.	)	File No. EB-04-NY-127
	)	
Carmel, NY	)	NOV No. V20043238019

**NOTICE OF VIOLATION**

**Released: June 23, 2004**

By the District Director, New York 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 Carmel Cable Television, Inc.

2. On June 9, 2004, an agent of the Commission's New York Office inspected your station located in Carmel, New York, and observed the following violation(s):

- a. 47 C.F.R. § 76.1711: "Every cable system of 1,000 or more subscribers shall keep a record of each test and activation of the Emergency Alert System (EAS) procedures pursuant to the requirement of part 11 of this chapter and the EAS Operating Handbook. These records shall be kept for three years." During the period from March 9 to June 9, 2004 there were no entries of required EAS transmitted and received tests.

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, Carmel Cable Television, Inc., 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:

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 308(b).

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Federal Communications Commission  
New York Office  
201 Varick Street, Suite 1151  
New York, NY 10014

4. This Notice shall be sent to Carmel Cable Television, Inc., 21 Old Route 6, Carmel, NY 10512.

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

Daniel W. Noel  
District Director  
New York Office

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

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