

Federal Communications Commission

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

In the Matter of)	
)	
Philippi Communications Systems)	File No. EB-04-CF-322
)	
Cable TV System)	
Philippi, West Virginia)	
)	NOV No. V20043234009
)	

NOTICE OF VIOLATION

Released: September 2, 2004

By the Columbia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to the Philippi Communications.

2. On August 17, 2004, agents of the Commission's Columbia Office inspected the cable system operated by the Philippi Communications Systems in Philippi, West Virginia and observed the following violation:

47 C.F.R. § 76.605(a)(12): Signal leakage from cable systems shall be limited to 20 micro-volts/meter measured at 3 meters in the frequency band of 54 to 216 MHz. The agents measured leakage on 127.2625 MHz in excess of the limits as follows:

Location	Signal Level (µv/m)
Pole #652 at Walnut and Gall St.	54
Pole #194 Next to Box 16, Rt. 4 on Route 250	152

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Philippi 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 company 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:

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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Columbia Office
9200 Farm House Lane
Columbia, MD 21046

4. This Notice shall be sent to the Philippi Communications Systems, 108 North Main Street, Philippi, WV 26416.

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

Charles C. Magin
District Director,
Columbia Office

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*