

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Connoisseur Media of Erie, LLC
Registrant of Antenna Structure
ASR # 1036227
Erie, Pennsylvania

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)
) File No. EB-10-PA-0264
)
) NOV No. V201132400003
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)
)

To: District Director, Philadelphia Office, Northeast Region, Enforcement Bureau

RESPONSE TO NOTICE OF VIOLATION

Connoisseur Media of Erie, LLC (“Connoisseur”), owner of tower structure Antenna Structure Registration Number (“ASRN”) 1036227, hereby responds to the Commission’s Notice of Violation (“NOV”) released October 14, 2010. As detailed below, proper signage displaying the correct ASRN was affixed to the tower and readily visible at the base of the antenna structure at all times. Accordingly, the tower site was in compliance with the Commission’s requirement that the registration number of the tower be posted at the site. In addition, a second sign at the site provided the same information at the fence line, before entering the tower site. While the final digit of the ASRN mounted on the fence surrounding the tower site had been faded by the weather, Connoisseur has now replaced that sign and resolved the issue. Accordingly, as the tower maintained proper signage at all relevant times, and Connoisseur immediately fixed the minor issue with the second sign on the fence, Connoisseur submits that no further action by the Commission is necessary in this matter.

In its NOV released October 14, 2010, the Commission raised one potential violation of the Rules involving the ASRN posted at the broadcast tower site owned and operated by Connoisseur in Erie, Pennsylvania. According to the NOV, an agent of the Commission’s Philadelphia Office

visited the Erie tower site on September 23, 2010 and observed a sign containing ASR number 1036226, rather than the correct registration number 1036227. Pursuant to Section 17.4(g) of the Commission's rules the Antenna Structure Registration Number of the tower "must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure. Materials used to display the Antenna Structure Registration number must be weather-resistant and of sufficient size to be easily seen at the base of the antenna structure."¹ In this case, the Erie tower site actually has two such signs, the first affixed to the tower itself, and the second mounted on the fence surrounding the tower site. With respect to the sign affixed to the tower itself, that sign displays the correct ASRN – 1036227 – and was not mentioned in the NOV. That sign is readily visible near the base of the antenna structure, consistent with the Commission's Rules.²

With respect to the second, additional sign mounted on the fence surrounding the tower site, the weather had faded a previous correction made to that sign, such that the final digit of the ASRN appeared to be a "6" rather than a "7". Although the sign on the fence had previously been corrected to read "1036227", as a result of time and weather, the painted correction to the final digit of the ASRN had sufficiently faded so that both the "7" and the incorrect "6" were visible. Following his visit to the tower, the FCC field agent contacted Connoisseur by telephone to inform it that the final digit on the fence-mounted sign was incorrect, as it displayed a "6" rather than a "7". Acting on that information, Connoisseur immediately removed the fence-mounted sign the same day as the agent's visit, September 23, 2010. Connoisseur has now replaced that sign with a brand

¹ 47 C.F.R. § 17.4(g).

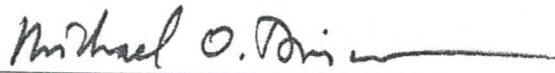
² The Commission's Letter simply states that the agent observed the incorrect ASRN "posted at the base of the antenna structure", but it appears that the sign observed by the agent was the sign affixed to the fence at the tower site, and not the sign on the base of the tower itself.

new, weather-resistant sign, thereby resolving the issue. No other potential violations were conveyed to Connoisseur in the agent's telephone call, nor raised by the recent NOV.

Given that the correct ASR number was posted on the sign affixed to the tower itself, proper signage was maintained at the tower site at all times consistent with Section 17.4(g) of the Commission's Rules. Moreover, Connoisseur immediately removed and took steps to replace the second sign on the fence as soon as it was informed of the issue. Therefore, Connoisseur submits that no violation of the Commission's Rules has occurred, and any potential confusion arising from the second, fence-mounted sign has been resolved and will not reoccur as the sign has already been entirely replaced with a new, weather-resistant sign. Accordingly Connoisseur submits that no further Commission action is necessary in this matter. The foregoing is true and correct to the best of my knowledge, information, and belief.

Respectfully submitted,

CONNOISSEUR MEDIA OF ERIE, LLC



Michael O. Driscoll

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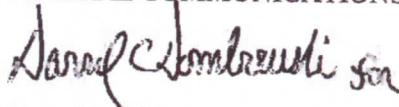
Date: October 22, 2010

Federal Communications Commission

Federal Communications Commission
Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to Connoisseur Media of Erie, LLC at its address of record.
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



Gene J Stanbro
District Director
Philadelphia Office
Enforcement Bureau
Northeast Region
Enforcement Bureau

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*