



October 16, 2009

BY CERTIFIED MAIL

Ryan Hagihara, Resident Agent
Western Region, Enforcement Bureau
Federal Communications Commission
Honolulu Office
P.O. Box 971030
Waipahu, Hawaii 96797-1030

Re: Notice of Violation No. V201032860001
File No. EB-09-HL-0120

Dear Mr. Hagihara:

KHNL/KFVE License Subsidiary, LLC, licensee of KHNL-DT, Channel 35, Honolulu, Hawaii ("KHNL" or the "Station"), hereby responds to the Notice of Violation ("Notice") from your office dated October 2, 2009.

The Notice indicates that during EAS tests on September 2, 2009 and October 1, 2009, "KHNL-DT transmitted the Attention Signal tones and video crawl but did not transmit any EAS audio messages." Our investigation has determined that the absence of EAS audio on these two days resulted from the EAS equipment's loss of configuration data after power cycling. Typically, backup batteries ensure continuity of configuration data during power cycling, but it was determined that the backup batteries for KHNL's Harris Sage ENDEC EAS equipment failed, thereby causing the loss of EAS configuration data.

KHNL has taken several steps to prevent recurrence. First, KHNL has replaced the backup batteries for the EAS equipment and reconfigured and tested the EAS equipment. Second, the Station's Chief Engineer has conducted additional training sessions with the Master Control Operators to reemphasize the Station's commitment to all aspects of the EAS system, including the specific requirements for ensuring broadcast of the Attention Signal tones, video crawl, and EAS audio messages during monthly tests (as well as during actual alerts), the need to monitor each test for inclusion of all required elements, and to record (and promptly correct) any noted deficiency. The Operators also were informed that written reprimands would be issued for further failures to comply with the Station's policies and procedures regarding EAS tests and alerts. Third, the Station



KHNL-DT, Honolulu, Hawaii
NOV No. V201032860001
October 16, 2009
Page 2

has incorporated into its monthly maintenance routines the testing of EAS equipment, including backup batteries.

KHNL is strongly committed to providing critical information to our viewers during emergencies. We regret the discrepancy reflected in the Notice and believe that the Station has implemented effective actions designed to prevent any recurrence.

Please contact me if you need further information or have questions.

Sincerely,

A handwritten signature in black ink that reads 'John Fink'.

John Fink
Vice President & General
Manager