

Federal Communications Commission

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

| | | |
|-------------------------------------|---|--------------------------------|
| In the Matter of |) | |
| |) | |
| |) | |
| Univision Radio License Corporation |) | File No. EB-FIELDWR-16-0021531 |
| Licensee of Station KISF |) | |
| Las Vegas, CA |) | NOV No. V201632900008 |

NOTICE OF VIOLATION

Released: May 13, 2016

By the Acting District Director, Los Angeles Office, Region 3, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules),¹ to Univision Radio License Corporation (Univision), licensee of station KISF, North Las Vegas, Nevada. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violations noted herein.²

2. On April 19, 2016, in response to a complaint, agents from the Enforcement Bureau's Los Angeles Office conducted on scene monitoring of station KISF. The monitoring revealed that station KISF exceeded 100 percent modulation on peaks of frequent reoccurrence greater than 75 kHz deviation. The following violation was observed:

- a. 47 C.F.R. § 73.1570(b)(2): FM stations. "The total modulation must not exceed 100 percent on peaks of frequent reoccurrence referenced to 75 kHz deviation." At the time of monitoring, the agents observed that Radio Station KISF exceeded 75 kHz deviation on peaks of frequent reoccurrence.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Univision, must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

³ 47 U.S.C. § 308(b).

Federal Communications Commission

all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct Univision to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Univision with personal knowledge of the representations provided in Univision's response, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. 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
Los Angeles Office
18000 Studebaker Rd., Rm. 660
Cerritos, California 90703

6. This Notice shall be sent to Univision Radio License Corporation at its address of record.

7. The Privacy Act of 1974⁷ 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.

⁴ 47 C.F.R. § 1.89(c).

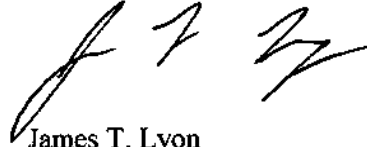
⁵ Section 1.16 of the Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'." 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

Federal Communications Commission

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read 'J T Lyon', is positioned above the typed name.

James T. Lyon
Acting District Director
Los Angeles Office
Enforcement Bureau