

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

**In the Matter of**

Clarion County Broadcasting Corp.  
Registrant of Antenna Structure  
ASR # 1025329  
Cranberry Township, Pennsylvania

File No. EB-08-PA-0389

NOV No. V200832400027

## NOTICE OF VIOLATION

**Released: September 2, 2008**

By the District Director, Philadelphia Office, Northeast Region, 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 Clarion County Broadcasting Corp., the owner of antenna structure # 1025329 in Cranberry Township, Pennsylvania.
2. On August 20, 2008, an agent of the Commission's Philadelphia Office inspected antenna structure # 1025329 located in Cranberry Township, Pennsylvania, and observed the following violation:

47 C.F.R. § 17.4(g): “The Antenna Structure Registration Number 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.” At the time of inspection, no Antenna Structure Registration Number was readily visible near the base of the tower or on the fence enclosing the tower structure.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Clarion County Broadcasting Corp. must submit a written statement concerning this matter within twenty (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 actions. The response must be complete in itself and signed by a principal or officer of the tower owner. 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:

<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 403.

**Federal Communications Commission**

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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 Clarion County Broadcasting Corp. at its address of record.
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



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

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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.*

**Clarion County Broadcasting Corp.  
William S. Hearst, President  
1168 Greenville Pike  
Clarion, PA 16214  
814-226-4500**

**September 7, 2008**

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

**Re: File No. EB-08-PA-0389  
NOV no. V200832400027**

**Gentlemen:**

**This is in response to the your Notice of Violation letter of September 2, 2008 indicating that Clarion County Broadcasting Corp. did not have a visible Antenna Structure Registration ("ASR") number posted near the base of the WKQW-FM Tower. The ASR number (1025329) is posted at the base of the WKQW-FM tower and was posted at the time of the FCC Inspection. As shown in the enclosed photos (Exhibit 1), which were taken on September 9, 2008, the ASR number is posted on the antenna tuning building located four feet from the base of the tower and is readily visible near the base of the antenna structure.<sup>1</sup> This sign has been posted since I purchased WKQW AM/FM in 2005.**

**The tower for WKQW(AM) is also located at the WKQW-FM site. Perhaps the confusion results from the fact the FCC inspector may have looked at the WKQW(AM) tower first and did not see any ASR Number, as WKQW(AM) is not required to have one, and did not notice the posted ASR Number near the base of the WKQW-FM tower. Exhibit 2 is a photo of the tower site from the access road. The WKQW(AM) tower is on the right and the WKQW-FM tower is in the rear of the site on the left side of the photo.**

**Exhibit 3 is a copy of the WKQW-FM Pennsylvania Association of Broadcasters FCC Inspection Program Certificate indicating that WKQW-FM was in compliance with this ASR posting requirement at the time it was inspected pursuant to this program.**

**Based on the above information, there is no violation by Clarion County Broadcasting Corp of FCC Rule 47 C.F.R. 17.4(g). To prevent such confusion in**

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<sup>1</sup>One of these photos was taken from outside the tower fence and the other was taken from inside the fence.

the future, however, another ASR sign has been ordered for WKQW-FM and will be posted on the tower itself.

Please contact me at the above number if you have any questions following your review of this information.

Sincerely,  
William S. Hearst  
President/General Manger  
Clarion County Broadcasting, Corp.



