

FEDERAL COMMUNICATIONS COMMISSION

Enforcement Bureau

520 NE Colbern Road, 2nd Floor

Lee's Summit, Missouri 64086

The Praise Network

POB 8

Aurora, NE 68818

File No.: **EB-01-KC-1064**

Released: **August 24, 2001**

NOTICE OF VIOLATION

1. On August 14, 2001, an agent of the FCC's Kansas City Office, inspected broadcast radio station KPRD-FM located in Hays, Kansas, and observed the following violations:

a. 47 C.F.R. §11.35(a): Broadcast stations must determine the cause of any failure to receive the required test of the Emergency Alert System (EAS). Appropriate entries must be made in the broadcast station log.

The station log for the weeks of July 15, 2001 and July 29, 2001 had only one test was received. There was no explanation in the logs as to why the second test was not received each week

difficulty with printer

b. 47 C.F.R. § 11.61(a): The station is to conduct an EAS test once a week whether it is the required weekly or a required monthly.

The station log for the weeks of July 15, 2001 and August 5, 2001 found no entries, indicating no EAS tests were conducted those weeks.

c. 47 C.F.R. §73.3527(e)(4): The Public File is to contain the most recent complete copy of the ownership report. The report is due at the time of renewal and every two years after that.

The most recent ownership report found in the public file was dated 3/1/98.

d. 47 C.F.R. §73.1840(a): The station logs are to be retained for two years.

Station logs for 1994-1996 and from Jan. 1, 2000 to present were found but nothing in between those dates.

e. 47 C.F.R. §73.1350(b)(2): The transmitter personnel must have the capability to turn the transmitter off at all times. If the personnel are at a remote location, the control system must provide this capability continuously or must include an alternate method of acquiring control.

The operator on duty did not know if their dial-up system would automatically turn off the transmitter. Though she took the transmitter reading, she did not know the power parameters so did not know if the transmitter was overpowered. In speaking to General Manager David Breedon on August 23, 2001, he stated that their contract engineer handles all the transmitter situations.

If there is a problem, they are to call the engineer. In your response to this Notice of Violation, detail the monitoring procedures including how a board operator would know if the transmitter was over powered. [see § 73.1350(c)(1)]

document in LOG of TRANSMITTER 1 TO (2) TIMES A MONTH.
f. 47 C.F.R. §73.1350 (c)(2): Monitoring equipment must be periodically calibrated so as to provide reliable indications of transmitter operation parameters.

In speaking with Mr. Breedon on August 23, 2001, he stated that their contract engineer takes care of the transmitter. He did not know about needing to calibrate or checking the calibration of the equipment. In the response to the Notice of Violation, you are to submit your calibration schedule.

g. 47 C.F.R. §73.3527(e)(9): The list of donors supporting specific programs should be in the Public File.

was in file copy ENCLOSED.

Though the Public File contained a list of underwriters, the list did not break out sponsors of specific programs.

h. 47 C.F.R. §73.1870(c)(3): The Chief Operator is to review the station records at least once a week to determine if the required entries are being made correctly.

Though the chief operator was reviewing the station logs, the reviews were not sufficient enough to find the missing EAS tests noted above.

2. Pursuant to Section 1.89 of the Commission's Rules, 47 C.F.R. § 1.89, you must submit a written response to this Notice to the address in the letterhead within 20 days of the release of this Notice. Include a statement of the specific action(s) taken to correct and preclude recurrence of each violation. If you have not completed all corrective actions by the time your reply is due, provide the date you will complete each action. Mark all replies and documentation with the file number specified above.

3. Failure to respond to this Notice constitutes a separate violation that could result in additional penalties, including monetary forfeiture. Any statement or information you provide may be used by the Commission to determine if further enforcement action is required.

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Karen L. Raines

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Agent