

Federal Communications Commission

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

In the Matter of)	
)	
Eads Broadcasting Corporation)	File No.: EB-FIELDWR-14-00015273
Licensee of Station KSHO)	
)	NOV No.: V201432920036
)	
Lebanon, Oregon)	Facility ID: 18038

NOTICE OF VIOLATION

Released: April 24, 2014

By the Resident Agent, Portland Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s rules (Rules)¹ to Eads Broadcasting Corporation (Eads Broadcasting), licensee of radio station KSHO in Lebanon, Oregon. 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 violation(s) noted herein.²

2. On April 21, 2014, an agent of the Enforcement Bureau’s Portland Office inspected radio station KSHO located at 36991 KGAL Drive, Lebanon, Oregon, and observed the following violations:

- a. 47 C.F.R. § 73.154(d): “The result of the most recent partial proof of performance measurements and analysis is to be retained in the station records available to the FCC upon request.” At the time of inspection, KSHO could not produce a copy of the most recent partial proof of performance and analysis.
- b. 47 C.F.R. § 11.61(b): “Entries shall be made in EAS Participant records, as specified in §11.35(a) and 11.54(a)(3).” KSHO did not have EAS CAP-formatted entries in the station’s EAS logs from March 3, 2014 through April 20, 2014.

3. As the nation’s emergency warning system, the Emergency Alert System is critical to public safety, and we recognize the vital role that broadcasters play in ensuring its success. The

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

Federal Communications Commission

Commission takes seriously any violations of the Rules implementing the EAS and expects full compliance from its regulatees. We also must investigate violations of other rules that apply to broadcast licensees.

4. 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, Eads Broadcasting, 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 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

5. In accordance with Section 1.16 of the Rules, we direct Eads Broadcasting to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Eads Broadcasting with personal knowledge of the representations provided in Eads Broadcasting'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

6. 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
Portland Office
P.O. Box 61469
Vancouver, WA 98666-1469

7. This Notice shall be sent to Eads Broadcasting Corporation at its address of record.

³ 47 U.S.C. § 308(b)

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.

Federal Communications Commission

8. 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.

FEDERAL COMMUNICATIONS COMMISSION

Binh Nguyen
Resident Agent
Portland Office
Western Region
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

EBS

Erickson Broadcast Sales Corporation

1172 Old Salem Road – Suite 7

Albany, OR 97321

541.460.0249

May 2, 2014

RE: NOV's #V201432920035 - KSHO Radio
#V201432920036 - KGAL Radio

Mr. Binh Nguyen, FCC Agent
Portland FCC Agent Office
PO Box 61469
Vancouver WA 98666-1469

Dear Mr. Nguyen,

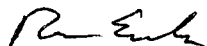
EBS is retained as the engineering company to facilitate technical services at the stations of Eads Broadcasting, KSHO AM 920 and KGAL AM 1580, Lebanon Oregon. I, Ron Erickson possess FCC General Class License #PG13-10157.

Since your field visit and subsequent N.O.V. letters referenced above, I have taken the following steps to comply with your notices.

1. Proof has already been sent to you by Ted Jenne at KGAL/KSHO regarding the implementation of the corrected EAS software for our SAGE EAS unit. This unit now allows for the proper reception and logging of the EAS CAP notices.
2. I contracted with Bob McClanathan to assist in performing monitor field strength readings and these have been done as of today's date, 5-2-2014. Bob's expertise in broadcast engineering is well known since the mid-1960's in the NW. We brought Bob in early since he will be assisting in the final tuning of KSHO when the new phasing cabinet is installed. He suggests that changes in either station should be done after this summer's construction projects.
3. Initial test results are attached to this letter.

Rest assured that Eads Broadcasting is doing everything possible to make sure the entire operation is spot on perfect. Please let me know if this action taken will cover the Violation notices sent to KGAL & KSHO. Please contact me with any questions or if I may be of further service.

Sincerely,



Ron Erickson
EBS CEO/Broadcast Engineer
541-460-0249

cc: Charlie Eads, KGAL/KSHO

Technical Operating Measurements

5-2-2014

Station:

KGAL AM 1580

Engineers:

Bob McClanathan & Ron Erickson

Equipment Employed:

Potomac FIM 41 Field Intensity Meter Serial #569 Calibrated August 8th 2013

Before traveling to monitor points engineers inspected transmitter and phase monitor. Both were operating within licensed specifications.

Monitor Point 1:

Direction of 31 Degrees True North - Distance from the Antenna 5.2 km

Reading shall not exceed 4.4 mV/m

At 1:10 pm reading of 4.3 mV/m was noted

Monitor Point 2:

Direction of 137.5 Degrees True North - Distance from the Antenna 4.43 km

Reading shall not exceed 8.9 mV/m

At 2:50 pm reading of 9.8 mV/m was noted

Monitor Point 3:

Direction of 265 Degrees True North - Distance from the Antenna 2.90 km

Reading shall not exceed 57.5mV/m

At 2:50 pm reading of 43 mV/m was noted

We will be performing more tests to investigate the slight excessive field strength reading on the 137.5 degree radial in conjunction with the installation of the new phase cabinet for sister station KSHO. We expect that further proofing of the entire station will take place as soon as we can commence construction on the new KGAL transmitter installation in accordance with the applied for increase in power to 5Kw N-DA daytime

Map of KGAL pattern is attached.

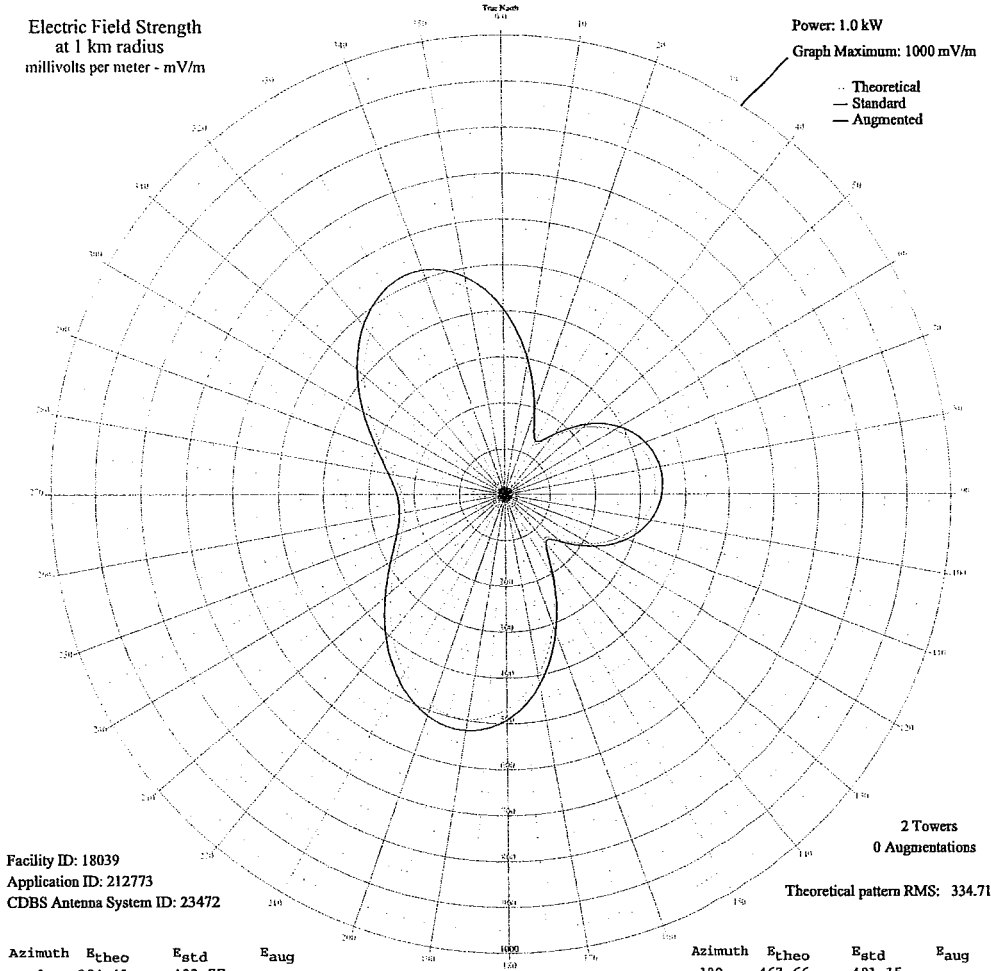
3 M.P.

KGAL LEBANON, OR BL-19950815AB 1580 kHz
Unlimited Time

Electric Field Strength
at 1 km radius
millivolts per meter - mV/m

Power: 1.0 kW
Graph Maximum: 1000 mV/m

... Theoretical
— Standard
— Augmented



Facility ID: 18039
Application ID: 212773
CDBS Antenna System ID: 23472

Azimuth	E _{theo}	E _{std}	E _{aug}
0	384.41	403.77	
5	336.84	353.84	
10	285.16	299.61	
15	232.63	244.49	
20	183.84	193.32	
25	145.96	153.61	
30	128.75	135.60	
35	136.90	144.13	
40	162.36	170.81	
45	194.27	204.26	
50	226.23	237.77	
55	255.25	268.21	
60	280.04	294.23	
65	300.12	315.30	
70	315.40	331.34	
75	325.96	342.42	
80	331.91	348.66	
85	333.34	350.17	
90	330.29	346.96	
95	322.70	338.99	
100	310.45	326.14	
105	293.45	308.30	
110	271.64	285.42	
115	245.24	257.72	
120	214.96	225.95	
125	182.54	191.96	
130	151.97	159.91	
135	131.34	138.31	
140	132.00	139.00	
145	157.75	165.97	
150	200.59	210.98	
155	251.39	264.17	
160	304.06	319.43	
165	354.58	372.46	
170	400.04	420.18	
175	438.25	460.29	

The theoretical pattern is used to create the standard pattern. Augmentations (if any) expand the standard pattern in specified directions. See Sections 73.150 and 73.152 of the FCC's Rules.

AM coverage may not mirror the pattern shown here. Additional factors such as ground conductivity or skywave propagation affect how far the AM signal will travel.

Patterns for stations outside the USA are based on notified parameters.

AM directional patterns created before 1982 used units of 1 mV/m at 1 mile, not one kilometer. The pattern values on such plots at 1 mile will be 0.62137 of the values listed here. Measured pattern values may vary from values shown here.

Plot is best printed on 11" by 17" or larger paper.

1 Apr 2014

Prepared by Audio Division, Media Bureau
Federal Communications Commission

Azimuth	E _{theo}	E _{std}	E _{aug}
180	467.66	491.15	
185	487.32	511.79	
190	496.93	521.88	
195	496.77	521.71	
200	487.65	512.14	
205	470.84	494.50	
210	447.91	470.42	
215	420.62	441.77	
220	390.78	410.45	
225	360.14	378.29	
230	330.30	346.98	
235	302.63	317.94	
240	278.22	292.32	
245	257.83	270.93	
250	241.96	254.28	
255	230.84	242.61	
260	224.52	235.98	
265	222.99	234.37	
270	226.24	237.79	
275	234.29	246.23	
280	247.14	259.71	
285	264.67	278.10	
290	286.58	301.09	
295	312.27	328.05	
300	340.86	358.06	
305	371.15	389.85	
310	401.70	421.92	
315	430.83	452.50	
320	456.76	479.72	
325	477.69	501.68	
330	491.89	516.59	
335	497.91	522.91	
340	494.62	519.46	
345	481.40	505.58	
350	458.16	481.18	
355	425.44	446.84	

EBS

Erickson Broadcast Sales

1172 Old Salem Road – Suite 7
Albany, OR 97321
541.460.0249

October 1, 2014

RE: NOV's #V201432920035 - KSHO Radio
#V201432920036 - KGAL Radio

Mr. Binh Nguyen, FCC Agent
Portland FCC Agent Office
PO Box 61469
Vancouver WA 98666-1469

Dear Mr. Nguyen,

Back on May 2, 2014 I wrote you regarding the above referenced NOV's you issued to KGAL and KSHO. You were able to close the NOV # V201432920035 for KSHO with the information we supplied, but the higher reading on KGAL Monitor Point #2 continued to be troublesome and you suggested on the phone that we contact you with a new set of readings this fall as we work on the 5000 watt NDA Construction Permit.

Here are the steps I've taken to assure that AM 1580 KGAL was brought into compliance with its Licensed Antenna Parameters.

1. Late in the summer, I sent the KGAL Phase monitor out for calibration. It was returned last week.
2. The new KSHO phasing cabinet was installed and we completed upgrades to the KGAL/KSHO transmitter room at the station.
3. Slight adjustments were made to the KGAL Phasing Cabinet.
4. A new set of field measurements were just completed today.

The results are attached and as you can see, KGAL is now completely operating within the scope of the stations license.

I hope this information will allow you to close the file on KGAL, but please let me know if you wish to have any further information.

Sincerely,



Ron Erickson
EBS CEO/Broadcast Engineer
541-460-0249

cc: Charlie Eads, KGAL/KSHO

Technical Operating Measurements

10-1-2014

Station:

KGAL AM 1580

Engineers:

Michael Patton & Ron Erickson

Equipment Employed:

Potomac FIM 41 Field Intensity Meter Serial #569 Calibrated August 8th 2013

Monitor Point 1:

Direction of 31 Degrees True North - Distance from the Antenna 5.2 km

Reading shall not exceed 4.4 mV/m

At 1:40 pm reading of 3.8 mV/m was noted

Monitor Point 2:

Direction of 137.5 Degrees True North - Distance from the Antenna 4.43 km

Reading shall not exceed 8.9 mV/m

At 3:12 pm reading of 8.8 mV/m was noted

Monitor Point 3:

Direction of 265 Degrees True North - Distance from the Antenna 2.90 km

Reading shall not exceed 57.5mV/m

At 3:50 pm reading of 42 mV/m was noted

Monitor points will be checked again after the NDA operation is tested.
Information will be entered into the public file and stations operational logs.