

Federal Communications Commission

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

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|-------------------------------|---|---------------------------------|
| In the Matter of |) | |
| |) | |
| K2 Communications, LLC |) | File No. EB-FIELDWR-12-00001317 |
| Cable System Operator |) | |
| Physical System ID No. 014473 |) | |
| Community Unit ID No. CO0457 |) | |
| |) | |
| Mead, Colorado |) | NOV No. V201232800027 |
| |) | |

NOTICE OF VIOLATION

Released: April 4, 2012

By the District Director, Denver Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's Rules,¹ to K2 Communications, LLC (K2), operator of a cable system in Mead, Colorado.

2. On March 13, 2012, an agent of the Enforcement Bureau's Denver Office inspected the K2 system located at Mead, Colorado, and observed the following violation:

47 C.F.R. § 76.605(a)(12): "As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carried by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in § 76.609(h) and shall be limited as follows: Over 54 MHz up to and including 216 MHz – 20 micro-volts per meter, measured at 3 meters." At the time of the inspection, the agent observed leakage on the frequency of 121.2625 MHz at the following locations:

- 1) 16362 11th Street: 103.8 uV/m
- 2) 2651 Jarett Drive: 48.8 uV/m
- 3) 16732 3rd Street: 65.2 uV/m

¹ 47 C.F.R. § 1.89.

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3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, K2 must submit a written statement concerning this matter within 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 action(s). The response must be complete in itself and signed by a principal or officer of K2. 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
Denver District Office
215 S. Wadsworth Blvd. Suite 303
Lakewood, Colorado 80226

4. This Notice shall be sent to K2 Communications, LLC, at its address of record.

5. The Privacy Act of 1974³ 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.⁴

FEDERAL COMMUNICATIONS COMMISSION

Nikki P. Shears
District Director
Denver District Office
Western Region
Enforcement Bureau

² 47 U.S.C. § 403.

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*