

Federal Communications Commission

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

In the Matter of)	
)	
PBI, LLC)	File No.: EB-11-DL-0058
)	NOV No.: V201232500006
Licensee of Radio Station KDDD(AM) and KDDD-FM))	Facility ID No.: 74311
)	
Dumas, TX)	

NOTICE OF VIOLATION

Released: July 5, 2012

By the District Director, Dallas Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules¹ to PBI, LLC, licensee of Station KDDD(AM) and KDDD-FM in Dumas, Texas.
2. On August 16, 2011, an agent of the Enforcement Bureau's Dallas Office inspected Stations KDDD(AM) and KDDD-FM, and observed the following violation(s):
 - a. 47 C.F.R. § 73.1800(a): "The licensee of each station must maintain a station log as required by § 73.1820. This log shall be kept by station employees competent to do so, having actual knowledge of the facts required. All entries, whether required or not by the provisions of this part, must accurately reflect the station operation. Any employee making a log entry shall sign the log, thereby attesting to the fact that the entry, or any correction or addition made thereto, is an accurate representation of what transpired." At the time of inspection, the Stations did not have any station logs, other than emergency alert system logs.
 - b. 47 C.F.R. 73.1560(d): "In the event it becomes technically impossible to operate at authorized power, a broadcast station may operate at reduced power for a period of not more than 30 days without specific authority from the FCC. If operation at reduced power will exceed 10 consecutive days, notification must be made to the FCC in Washington, DC. ... If causes beyond the control of the licensee prevent restoration of the authorized power within 30 days, a request for Special Temporary Authority (see § 73.1635) must be

¹47 C.F.R. § 1.89.

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made to the FCC in Washington, DC for additional time as may be necessary.” At the time of inspection, Station KDDD-FM was operating with only an FM exciter at less than authorized power. The owner stated that the station had been without an FM transmitter for the past two months and had not notified the FCC.

- c. 47 C.F.R. § 73.1870(b)(3): “The designation of the chief operator must be in writing with a copy of the designation posted with the station license.” At the time of the inspection, the Stations did not have a written designation of a person to serve as the chief operator.
- 3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission’s rules, PBI, LLC, 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 action(s). The response must be complete in itself and signed by a principal or officer of the licensee. 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
Dallas Office
9330 LBJ Freeway, Suite 1170
Dallas, TX 75243

- 4. This Notice shall be sent to PBI, 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

James D. Wells
District Director
Dallas Office
South Central Region
Enforcement Bureau

²47 U.S.C. § 308(b).
³P.L. 93-579, 5 U.S.C. § 552a(e)(3).
⁴18 U.S.C. § 1001 *et seq.*