

Federal Communications Commission

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

In the Matter of	)	
	)	
Steckline Communications, Inc.	)	File No.: EB-FIELDSCR-12-00005158
Licensee of Radio Station KQAM	)	NOV No.: V201332560005
	)	
Wichita, Kansas	)	Facility ID No.: 61362
	)	
	)	

NOTICE OF VIOLATION

Released: November 8, 2012

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

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s Rules (Rules)<sup>1</sup> to Steckline Communications, Inc., licensee of Station KQAM in Wichita, Kansas. Pursuant to Section 1.89(a) of the Rules, issuance of this NOV 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.<sup>2</sup>
2. On October 22, 2012, an agent of the Commission’s Kansas City Office inspected Station KQAM located at 1632 S. Maize Rd., Wichita, Kansas, and observed the following violation(s):
  - a. 47 C.F.R.§73.1560(a): “AM stations...(1)... the antenna input power of an AM station ... must be maintained as near as is practicable to the authorized antenna input power and my not be less than 90% nor more than 105% of the authorized power. (2) Whenever the transmitter of an AM station cannot be placed into the specified operating mode at the time required, transmissions of the station must be immediately terminated.” At the time of inspection, the nighttime power was set for 5.8amps common point current, which is 156% of authorized nighttime power.
  - b. 47 C.F.R.§73.61(a): “Each AM station using a directional antenna must make field strength measurements at the monitoring point locations specified in the instrument of authorization, as often as necessary to ensure that the field at those points does not exceed the values specified in the station authorization...

<sup>1</sup>47 C.F.R. § 1.89.

<sup>2</sup> 47 C.F.R. § 1.89(a).

The results of the measurements are to be entered into the station log.” Prior to the inspection, the last monitoring point readings were taken on September 26, 2012 by a consulting group. Those readings were not entered into the station logs. The measurements taken by that consulting group found one reading in excess of the authorized limits and no efforts were made to correct this out of tolerance condition until after the inspection. At the time of inspection, several directional parameters were out of tolerance and no efforts were being made to check the monitoring points to ensure the station was within authorized limits

- c. 47 C.F.R. §73.62(a): “Each AM station operating a directional antenna must maintain the indicated relative amplitudes of the antenna monitor currents within 5% of the values specified therein. Directional antenna relative phase currents must be maintained to within 3 deg. of the values specified on the instrument of authorization.” At the time of inspection, the current ratio for tower number 4 during daytime operation was 10.6% higher than that authorized. For nighttime operation, the current ratio for tower numbers 1, 4, and 5 were 22.1%, 23.2% and 24.7%, respectively, in deviation from that authorized.
  
- d. 47 C.F.R. §73.1820(a): “Entries must be made in the station log either manually by a person designated by the licensee who is in actual charge of the transmitting apparatus, or by automatic devices... Indications of operating parameters that are required to be logged must be logged prior to any adjustment of the equipment. Where adjustments are made to restore parameters to their proper operating values, the corrected indications must be logged and accompanied, if any parameter deviation was beyond a prescribed tolerance, by a notation describing the nature of the corrective action. Indications of all parameters whose values are affected by the modulation of the carrier must be read without modulation. The actual time of observation must be included in each log entry.” At the time of inspection, the licensee was not maintaining station logs for anything other than Emergency Alert System equipment. The directional parameters for both daytime and nighttime operation were out of tolerance and there were no logs documenting when this began. In addition, the last monitoring point readings taken in September 2012 by a consulting firm had not been entered into the station logs, they were not available at the time of inspection and those readings, when they were submitted later, indicated out of tolerance conditions.
  
- e. 47 C.F.R. §73.3526(e)(12): “For commercial AM and FM broadcast stations, every three months a list of programs that have provided the station's most significant treatment of community issues during the preceding three month period. The list for each calendar quarter is to be filed by the tenth day of the succeeding calendar quarter (e.g., January 10 for the quarter October -- December, April 10 for the quarter January -- March, etc.). The list shall include a brief narrative describing what issues were given significant treatment and the programming that provided this treatment. The description of the programs shall include, but shall not be limited to, the time, date, duration, and title of each program in which the issue was treated. The lists described in this paragraph shall be retained in the public inspection file until final action has been taken on the station's next license renewal application.” At the time of inspection the station's issues-programs list consisted of a list of issues only.

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The station did not maintain a list of programs aired to address those issues.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Rules, Steckline Communications, Inc., must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must (i) 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.<sup>4</sup>
  
4. In accordance with Section 1.16 of the Rules, we direct Steckline Communications, Inc. to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Steckline Communications, Inc. with personal knowledge of the representations provided in Steckline Communications, Inc.'s response, verifying the truth and accuracy of the information therein,<sup>5</sup> 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.<sup>6</sup> 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  
Kansas City Office  
520 N.E. Colbern Rd.  
2nd Floor  
Lees Summit, MO 64086-4711

5. This Notice shall be sent to Steckline Communications, Inc. at its address of record.
  
6. The Privacy Act of 1974<sup>7</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

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<sup>3</sup>47 U.S.C. § 308(b).

<sup>4</sup> 47 C.F.R. § 1.89(c).

<sup>5</sup> 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.

<sup>6</sup> 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

<sup>7</sup>P.L. 93-579, 5 U.S.C. § 552a(e)(3).

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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>8</sup>

FEDERAL COMMUNICATIONS COMMISSION

Ronald D. Ramage  
District Director  
Kansas City Office  
South Central Region  
Enforcement Bureau

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<sup>8</sup>18 U.S.C. § 1001 *et seq.*