

**Federal Communications Commission**

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

In the Matter of	)	
	)	
<b>KCBD License Subsidiary, LLC</b>	)	File No.: EB-FIELDSCR-12-00000804
	)	NOV No.: V20123250007
Licensee of Radio Station KCBD-TV	)	Facility ID No.: 27507
Facility ID # 27507	)	
	)	
Lubbock, TX	)	

**NOTICE OF VIOLATION**

**Released: February 28, 2012**

By the 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 rules<sup>1</sup> to KCBD License Subsidiary, LLC, licensee of station KCBD-TV in Lubbock, Texas.
  
2. On February 2 2012, an agent of the Commission's Dallas Office inspected the main studio of Station KCBD-TV located at Lubbock, Texas, and observed the following violation(s):
  - a. 47 C.F.R. § 11.52(d): "EAS Participants must monitor two EAS sources. The monitoring assignments of each broadcast station, cable system and wireless cable system are specified in the State EAS Plan and FCC Mapbook. They are developed in accordance with FCC monitoring priorities." At the time of the inspection, Station KCBD-TV was not monitoring the assigned LP2 Station, KRIA (103.9 MHz, FM).
  
  - b. 47 C.F.R. § 11.35(a): "EAS Participants must determine the cause of any failure to receive the required tests or activations specified in Section 11.61(a)(1) and (a)(2). Appropriate entries indicating reasons why any tests were not received must be made in the broadcast station log as specified in Sections 73.1820 and 73.1840 of this chapter for all broadcast streams..." At the time of the inspection, there were no entries in KCBD-TV logs indicating why the required monthly tests (RMTs) and the required weekly tests (RWTs) had been sporadically missed over the three months prior to the inspection.

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<sup>1</sup>47 C.F.R. § 1.89.

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- c. 47 C.F.R. § 73.1870(c)(3): “Review of the station records at least once each week to determine if required entries are being made correctly.... [U]pon completion of the review, the chief operator or his designee must date and sign the log....” At the time of inspection, there was no indication that the logs were being reviewed by the chief operator.
3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission’s rules, KCBD License Subsidiary, LLC must submit a written statement concerning this matter within twenty (20) calendar 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, Texas 75243
4. This Notice shall be sent to KCBD License Subsidiary, LLC, at its address of record.
5. The Privacy Act of 1974<sup>3</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 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>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

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

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<sup>2</sup>47 U.S.C. § 308(b).

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

<sup>4</sup>18 U.S.C. § 1001 *et seq.*