

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

In the Matter of:

Antenna Registration # 1005016	)	
Located in Anchorage, Alaska	)	File Number: EB-01-AN-045
	)	
Northern Television, Inc.	)	Certified Mail #: 7000 0520 0021 4662 8092
Anchorage, Alaska	)	<b>Return Receipt Requested</b>
	)	

**NOTICE OF VIOLATION**

Released: March 26, 2001

By the Enforcement Bureau, Anchorage Resident Agent Office:

1. This is an Official Notice of Violation ("NOV") issued pursuant to Section 1.89 of the Commission's Rules ("the Rules"), 47 C.F.R. § 1.89, to Northern Television, Inc., ("NTV"), the owner of antenna structure number 1005016, for failure to comply with the Rules, 47 C.F.R. § 17.1 *et seq.*, as specifically outlined below.

2. On January 25, 2001 and again on March 9, 2001, FCC Agent's Marlene Windel and David J. Charlton performed routine inspections of the antenna structure lighting for the structure located at 1007 W 32<sup>nd</sup> Ave., Anchorage, Alaska. The structure as noted belongs too and was registered by NTV.

3. A NOV, File Number EB-01-AN-038, was issued and sent Certified Mail, Return Receipt Requested based on the findings of the inspection, March 9, 2001 to the address of record for the antenna structure; Northern Television, Inc., P.O. Box 102200, Anchorage, AK 99510. A copy of that NOV is included here. The envelope was subsequently returned by the U.S. Postal Service and marked as undeliverable/forwarding expired. It is the antenna structure owner's responsibility to maintain the accuracy of data on file with the Commission. As the registrant of this structure you are in non-compliance as follows:

- a) Section 17.57 of the Rules, 47 C.F.R. § 17.57, states, in part that the owner must also immediately notify the Commission using FCC Form 854 upon any change in structure height or change in ownership information.

Ownership information is considered an Administrative Update (AU) and includes changes in address, see instructions for completion of FCC Form 854.

The violation(s) must be corrected promptly.

4. As the owner of this structure, NTV is responsible for all matters relating to this structure, and is expected to know and comply with the Commission's rules. Failure to comply with the requirements of the Rules cited above may result in the imposition of a monetary forfeiture, pursuant to 47 C.F.R. § 1.80, or other administrative sanctions.

5. Accordingly, **IT IS ORDERED**, pursuant to Section 1.89 of the Rules, 47 C.F.R. § 1.89, that NTV shall, within 15 days of the Released date indicated above, submit a written statement concerning this matter and the attached NOV issues, under separate cover, to the following address:

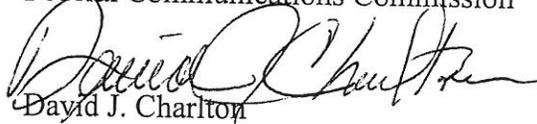
Federal Communications Commission  
Enforcement Bureau  
Anchorage Resident Agent Office  
P.O. Box 221849  
Anchorage, AK 99522-1849

The written response(s) shall contain a statement of; a) the specific action(s) taken to correct the violation(s); b) the action(s) that are being taken/implemented to preclude their recurrence; and c) if/as required a time line for completion of a and b of this paragraph. The response(s) shall be signed and dated. 1) All replies and documentation regarding the issue here **MUST INCLUDE** the File Number indicated here. 2) All replies and documentation regarding the issues covered in the attached NOV **MUST INCLUDE** the File Number indicated on that NOV.

6. Failure to respond to a NOV constitutes a violation of the Rules, and could incur additional administrative penalties. Any false statement made knowingly and willfully in reply to this NOV is punishable by fine or imprisonment under Title 18 of the U.S. Code, 18 U.S.C. § 1001 *et seq.*

7. **IT IS FURTHER ORDERED** that a copy of this Official Notice of Violation shall be sent by certified mail, return receipt requested, to Northern Television, Inc., 630 West 4<sup>th</sup> Avenue, Suite 300, Anchorage, AK 99501. A copy shall also be sent by certified mail, return receipt requested, to Northern Television, Inc., 1007 W. 32<sup>nd</sup> Avenue, Anchorage, AK 99503.

Federal Communications Commission



David J. Charlton  
Resident Agent

Enclosure

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

In the Matter of:

Antenna Registration # 1005016	)	
Located in Anchorage, Alaska	)	File Number: EB-01-AN-038
	)	
Northern Television Inc.	)	Certified Mail #: 7000 0520 0021 4662 8474
Anchorage, Alaska	)	<b>Return Receipt Requested</b>
	)	

**NOTICE OF VIOLATION**

Released: March 9, 2001

By the Enforcement Bureau, Anchorage Resident Agent Office:

1. This is an Official Notice of Violation ("NOV") issued pursuant to Section 1.89 of the Commission's Rules ("the Rules"), 47 C.F.R. § 1.89, to Northern Television, Inc., ("NTV"), the owner of antenna structure number 1005016, for failure to comply with the Rules, 47 C.F.R. § 17.1 *et seq*, as specifically outlined below.

2. On January 25, 2001 and again on March 9, 2001, FCC Agent's Marlene Windel and David J. Charlton performed routine inspections of the antenna structure lighting for the structure located at 1007 W 32<sup>nd</sup> Ave., Anchorage, Alaska. The structure as noted above belongs too and was registered by NTV.

3. During the inspections it was noted that the top flashing beacon was/is emitting white light from the upper portion of the fixture when the structure is viewed at a distance from points west through north of the tower. The light output from this beacon is required to be all red and therefore is in non-compliance as follows:

- a) Section 17.6 of the Rules, 47 C.F.R. § 17.6, states in part that the antenna structure owner is responsible for maintaining the painting and lighting in accordance with this part.
- b) Section 17.48(a) of the Rules, 47 C.F.R. § 17.48(a), states, in part that the owner of any antenna structure shall report immediately by telephone or telegraph to the nearest Flight Service Station or office of the Federal Aviation Administration any observed or otherwise known extinguishment or improper functioning of any top steady burning light or any flashing obstruction light, regardless of its position on the antenna structure, not corrected within 30 minutes.

The violation(s) must be corrected promptly.

4. As the owner of this structure, NTV is responsible for all matters relating to this structure, and is expected to know and comply with the Commission's rules. Failure to comply with the requirements of the Rules cited above may result in the imposition of a monetary forfeiture, pursuant to 47 C.F.R. § 1.80, or other administrative sanctions.

5. Accordingly, **IT IS ORDERED**, pursuant to Section 1.89 of the Rules, 47 C.F.R. § 1.89, that NTV shall, within 15 days of the Released date indicated above, submit a written statement concerning this matter to the following address:

Federal Communications Commission  
Enforcement Bureau  
Anchorage Resident Agent Office  
P.O. Box 221849  
Anchorage, AK 99522-1849

The written response shall contain a statement of; a) the specific action(s) taken to correct the violation(s); b) the action(s) that are being taken/implemented to preclude their recurrence; and c) if/as required a time line for completion of a and b of this paragraph. The response shall be signed and dated. All replies and documentation **MUST INCLUDE** the File Number indicated above.

6. Failure to respond to a NOV constitutes a violation of the Rules, and could incur additional administrative penalties. Any false statement made knowingly and willfully in reply to this NOV is punishable by fine or imprisonment under Title 18 of the U.S. Code, 18 U.S.C. § 1001 *et seq.*

7. **IT IS FURTHER ORDERED** that a copy of this Official Notice of Violation shall be sent by certified mail, return receipt requested, to Northern Television, Inc., P.O. Box 102200, Anchorage, AK 99510.

Federal Communications Commission



David J. Charlton  
Resident Agent



April 6, 2001

Federal Communications Commission  
Enforcement Bureau  
Anchorage Resident Agent Office  
P.O. Box 221849  
Anchorage, AK 99522-1849

Re: File Numbers: EB-01-AN-045 and EB-01-AN-038

This is in response to the Notice of Violations released March 9, 2001 and March 26, 2001. We have received your notices and have taken, or in the process of taking, the following actions.

1. Pursuant to File Number EB-01-AN-038: We have accomplished the needed repair to bring the lighting of antenna structure number 1005016, located at 1007 W. 32<sup>nd</sup> Avenue, Anchorage, Alaska, into compliance with Section 17.6 of the rules. This repair was accomplished on March 30, 2001. See attachment A.
2. Pursuant to File Number EB-01-AN-038: We have reviewed our FAA notification procedures and have reinforced its purpose and importance with the needed personnel as required in Section 17.48(a) of the Rules. See attachment B.
3. Pursuant to File Number EB-01-AN-045: We have submitted updated information via Form 854 for all ownership information associated with antenna structure number 1005016. We are also in the process of verifying that all ownership information listed with the Federal Communications Commission is up to date and correct. We expect to have this verification process concluded with in a week's time. See attachment C.

Thank you for your consideration in this matter and bringing these issues to our attention. If you have any questions or need any further information please feel free to contact me.

Regards,

A handwritten signature in black ink, appearing to read "Jerry Bever".

Jerry Bever  
Vice President / General Manager  
KTVA-TV



Tom Lambert  
KTVA TV  
Anchorage Alaska

Tom,

This is a confirmation of the work performed on your tower in Anchorage. Our tower rigger, Rick Wagers, climbed your tower at approximately 1:00AM Friday, the 30<sup>th</sup> of March and discovered a cracked red filter lens in your beacon assembly. He replaced the filter lens and was off the tower at approximately 2:00AM. The tower lighting was tested and found to be operating normally at that time.

A detailed invoice will follow fully describing the part(s) used and time and expenses for this job. Tundra Communications is pleased to be of assistance in this matter and we look forward to serving your needs in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard L Johnson', with a long horizontal flourish extending to the right.

Richard L Johnson  
Manager Technical Services  
Alaska Operations  
Tundra Communications  
Soldotna Alaska

ATTACHMENT A

March 31, 2001

From: Tom Lambert, Chief Engineer

To: TV Operations Staff

Re: Tower Light Inspections

At your earliest opportunity please reacquaint yourself with our tower inspection and notification procedures. There is a page in our Standard Operating Procedures book regarding tower light inspections, transmitter logs, FAA notification and contacting the Engineering Department. All board operators in TV Operations should be familiar with these procedures.

Thank you

ATTACHMENT B

## STATION LOGS

1. The top of the log contains the date; the julian date of the log; the channel, frequencies and power outputs of the transmitter; the street address of the transmitter; and a place for the Chief Operator's initials (Bill Smith). When starting a new log, be sure to check this section for the correct date.
2. The EBS TESTS section contains areas to signify receipt or transmission of EBS and EANS tests. Any time you receive an EBS/EANS test or send an EBS test, the time and your initials must be placed on the proper line. Actual emergency activations must be entered in the REMARKS section. See EBS PROCEDURES for further instructions on emergency activations.
3. The TOWER LIGHTS section concerns the tower lights and flashing beacon light. There are two sets of side markers, one lamp on each side of the tower, and a flashing beacon at the top of the tower. These lights are on at all times. They must be checked daily, after dusk but before midnight. If all the lights are on and the beacon is flashing, enter the time, the word "legal" and your initials in the appropriate blocks. If any of the lights are out, or the beacon is not flashing, you must immediately call the FAA at 283-8469 with the following message:  
"This is (your name) from TV station KTVA. The beacon light and/or side marker light(s) are out on KTVA's 392 foot tower located 2 1/4 miles southwest of Merrill Field.  
Indicate the problem in the STATUS section, then enter the name of the FAA individual you spoke to and the time in the blocks provided. If a beacon is out, contact Bill Smith immediately.
4. The TRANSMITTER READINGS section has spaces for each of the required visual and aural readings. These readings should be taken from the meters on the transmitter unit itself, not the reference meters in TV Control. Readings should be taken as close to the indicated times as possible. When power adjustments are necessary, enter a statement to that effect in the REMARKS section.
5. The TRANSMITTER OPERATORS section is where you sign on and off of the log. There must be an operator signed on the log whenever the transmitter is on. Do not sign off of the log until you have been relieved by another operator.
6. The final section is for REMARKS. This section is for noting EBS messages, late or missed readings, power adjustments, details on any entry made above, or any other information regarding the operation of the station. All entries in this section must contain the time, nature of the information or problem, the name of any individual contacted and your initials.

Bill Smith checks these logs weekly, and any errors will be noted on the incorrect log and returned to the operator for correction. Errors must be corrected immediately and returned to Bill.

ATTACHMENT B

## FCC Application for Antenna Structure Registration

Purpose of Filing (Select only one) ( AU )

<p>1) NE - Registration of an antenna structure that has not been registered                  MD - Modification of registered antenna structure                  CA - Cancel Registered Structure                  AU - Administrative Update                  DI - Notification of antenna structure dismantlement                  (structure no longer exists)</p>	<p>WD - Withdraw pending application(s) for registration                  AM - Amend pending application for registration                  NT - Required Construction/Alteration Notification                  DU - Request for Duplicate Registration - no changes                  OC - Ownership Change</p>
2A) For purpose codes of WD or AM, provide the file number of the pending application currently on file with the FCC.	
2B) For purpose codes of MD, CA, AU, DI, NT, DU or OC, provide FCC Antenna Structure Registration Number.	1005016
2C) If purpose code is MD or NT, provide date constructed or last altered (mmddyy).	
2D) If purpose code is DI, give date of dismantlement (mmddyy).	

### Antenna Structure Ownership Information

3A) Taxpayer Identification Number (TIN) of Owner/Assignee: 920019534		3B) Sub-Group Identification Number (SGIN) of Owner/Assignee (if applicable): 534		3C) Owner/Assignee FRN:	
4A) Taxpayer Identification Number (TIN) of Assignor (for purpose code OC only):		4B) Sub-Group Identification Number (SGIN) of Assignor (if applicable):		4C) Assignor FRN:	
5) Legal Owner of Structure/Assignee (if individual):		First Name	MI:	Last Name:	Suffix:
6) Business Name (if other than individual): Alaska Broadcasting Company, Inc.					
7) Attention To: Thomas Lambert					
8) P.O. Box:		And /Or	9) Street Address: 1007 West 32nd Avenue		
10) City: Anchorage			11) State: AK	12) ZIP Code: 99503	
13) Telephone Number: (907) 273-3192			14) E-Mail Address: tclambert@ktva.com		

### Contact Representative Information (If the Owner/Assignee is a business or contact representative is different from the Owner/Assignee)

15) First Name:		MI:	Last Name:		Suffix:
16) Business Name:					
17) P.O. Box:		And /Or	18) Street Address:		
19) City:		20) State:		21) ZIP Code:	
22) Telephone Number: ( )			23) E-Mail Address:		

ATTACHMENT C

Antenna Structure

24) NAD 83 Antenna Structure Latitude (DD-MM-SS.S): 61-11-33 ( N ) <u>N</u> or <u>S</u>	25) NAD 83 Antenna Structure Longitude (DDD-MM-SS.S): 149-54-07 ( W ) <u>E</u> or <u>W</u>
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26) Address or Geographical Location: 1007 West 32nd Avenue

27) City: Anchorage

28) State: AK

29) Elevation of site above mean sea level (refer to 'a' in antenna structure examples): 29.3 meters

30) Overall (highest) height above ground (AGL) of antenna structure INCLUDING all appurtenances (antennas, dishes, lightning rods, obstruction lighting, etc.) (refer to 'c' in antenna structure examples): 119.5 meters

31) Overall height above mean sea level (sum total of Items 29 and 30): 148.8 meters

32) Overall height above ground (AGL) of the supporting structure itself WITHOUT appurtenances (refer to 'b' in antenna structure examples): 119.5 meters

33) Indicate the code for the type of structure on which antenna will be mounted: (i.e. pole, building, water tank, silo, tower, etc.) (See instructions.) Tower

34-35) If type of structure is an Array, provide coordinates for center of array below:

34) NAD 83 Array Center Latitude (DD-MM-SS.S): ( ) <u>N</u> or <u>S</u>	35) NAD 83 Array Center Longitude (DDD-MM-SS.S): ( ) <u>E</u> or <u>W</u>
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FAA Notification

36) FAA Study Number: 96-AAL-0089-OE

37) Date Issued (mmddyy): (See Letter)

Environmental Assessment

38) ( N ) Yes No . Would a Commission grant of Authorization for this location be an action which may have a significant environmental effect? See Section 1.1307 of 47 CFR. If 'Yes', submit an environmental assessment as required by 47 CFR, Sections 1.1308 and 1.1311.

Certification Statements

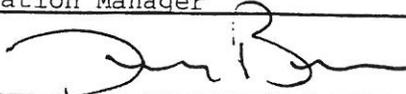
- 1) The applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.
- 2) The applicant certifies that neither the applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.

Signature

39) Typed or Printed Name of Party Authorized to Sign

First Name: Jerry	MI:	Last Name: Bever	Suffix:
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40) Title: Station Manager

41) Signature: 

42) Date: 4/6/01

WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

ATTACHMENT C

## FCC Application for Antenna Structure Registration

Purpose of Filing (Select only one) ( AU )

<p>1) NE - Registration of an antenna structure that has not been registered                  MD - Modification of registered antenna structure                  CA - Cancel Registered Structure                  AU - Administrative Update                  DI - Notification of antenna structure dismantlement                  (structure no longer exists)</p>	<p>WD - Withdraw pending application(s) for registration                  AM - Amend pending application for registration                  NT - Required Construction/Alteration Notification                  DU - Request for Duplicate Registration - no changes                  OC - Ownership Change</p>
2A) For purpose codes of WD or AM, provide the file number of the pending application currently on file with the FCC.	
2B) For purpose codes of MD, CA, AU, DI, NT, DU or OC, provide FCC Antenna Structure Registration Number.	1005015
2C) If purpose code is MD or NT, provide date constructed or last altered (mmddy).	
2D) If purpose code is DI, give date of dismantlement (mmddy).	

### Antenna Structure Ownership Information

3A) Taxpayer Identification Number (TIN) of Owner/Assignee: 920019534	3B) Sub-Group Identification Number (SGIN) of Owner/Assignee (if applicable): 534	3C) Owner/Assignee FRN:
4A) Taxpayer Identification Number (TIN) of Assignor (for purpose code OC only):	4B) Sub-Group Identification Number (SGIN) of Assignor (if applicable):	4C) Assignor FRN:
5) Legal Owner of Structure/Assignee (if individual):	First Name: _____ MI: _____ Last Name: _____	Suffix: _____
6) Business Name (if other than individual): Alaska Broadcasting Company, Inc.		
7) Attention To: Thomas Lambert		
8) P.O. Box:	And /Or	9) Street Address: 1007 West 32nd Avenue
10) City: Anchorage	11) State: AK	12) ZIP Code: 99503
13) Telephone Number: (907) 273-3192		14) E-Mail Address: tclambert@ktva.com

### Contact Representative Information (If the Owner/Assignee is a business or contact representative is different from the Owner/Assignee)

15) First Name:	MI: _____ Last Name: _____	Suffix: _____
16) Business Name:		
17) P.O. Box:	And /Or	18) Street Address:
19) City:	20) State:	21) ZIP Code:
22) Telephone Number: ( )		23) E-Mail Address:

Attachment C

**Antenna Structure**

24) NAD 83 Antenna Structure Latitude (DD-MM-SS.S): 61-12-25 ( N ) <u>N</u> or <u>S</u>	25) NAD 83 Antenna Structure Longitude (DDD-MM-SS.S): 149-55-20 ( W ) <u>E</u> or <u>W</u>
26) Address or Geographical Location: 2241 Woodworth Circle	
27) City: Anchorage	28) State: AK
29) Elevation of site above mean sea level (refer to 'a' in antenna structure examples): <u>1.5</u> meters	
30) Overall (highest) height above ground (AGL) of antenna structure INCLUDING all appurtenances (antennas, dishes, lightning rods, obstruction lighting, etc.) (refer to 'c' in antenna structure examples): <u>98.5</u> meters	
31) Overall height above mean sea level (sum total of Items 29 and 30): <u>100.0</u> meters	
32) Overall height above ground (AGL) of the supporting structure itself WITHOUT appurtenances (refer to 'b' in antenna structure examples): <u>98.5</u> meters	
33) Indicate the code for the type of structure on which antenna will be mounted: (i.e. pole, building, water tank, silo, tower, etc.) (See instructions.) <span style="float:right">Tower</span>	
34-35) If type of structure is an Array, provide coordinates for center of array below:	
34) NAD 83 Array Center Latitude (DD-MM-SS.S): ( ) <u>N</u> or <u>S</u>	35) NAD 83 Array Center Longitude (DDD-MM-SS.S): ( ) <u>E</u> or <u>W</u>

**FAA Notification**

36) FAA Study Number: 5-OE-18	37) Date Issued (mmdyy): (See Letter)
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**Environmental Assessment**

38) ( N ) Yes No . Would a Commission grant of Authorization for this location be an action which may have a significant environmental effect? See Section 1.1307 of 47 CFR. If 'Yes', submit an environmental assessment as required by 47 CFR, Sections 1.1308 and 1.1311.

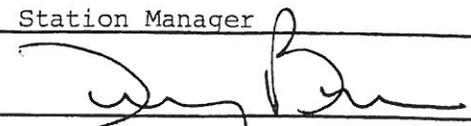
**Certification Statements**

1) The applicant certifies that all statements made in this application and in the exhibits, attachments, or documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

2) The applicant certifies that neither the applicant nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.

**Signature**

39) Typed or Printed Name of Party Authorized to Sign

First Name: Jerry	MI:	Last Name: Bever	Suffix:
40) Title: Station Manager			
41) Signature: 			42) Date: 9/6/01

WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).

ATTACHMENT C