

**Federal Communications Commission**

---

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

In the Matter of	)	
	)	
Comcast of California XIV, LLC	)	File No. EB-07-DV-043
Physical System ID # 003644	)	
Portales, New Mexico	)	NOV No. V20073280014
	)	

**NOTICE OF VIOLATION**

**Released:** February 14, 2007

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,<sup>1</sup> to Comcast of California XIV, LLC ("Comcast"), operator of a cable system in Portales, New Mexico.

2. On January 9, 2007, an agent of the Enforcement Bureau's Denver Office inspected the Comcast cable system located at Portales, New Mexico, and observed the following violations:

- a. 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, an agent observed signal leakage on the frequency of 121.2625 MHz at the following location:
  - 1) On pole near 1524 W. Ivy Street 941 µV/m
  - 2) On pole near 1115 W. 3<sup>rd</sup> Street 80 µV/m
  
- b. 47 C.F.R. § 76.612(a)(1): "All cable television systems which operate in the frequency bands 108-137 and 225-400 MHz shall comply with the following frequency separation standards: All such cable carriers or signal components shall be offset by 12.5 kHz with a frequency tolerance of +/- 5kHz." At the time of the inspection, an agent observed the following channels were operating outside the allowable frequency tolerance:

---

<sup>1</sup> 47 C.F.R. § 1.89.

**Federal Communications Commission**

---

- 1) Channel 30 (Q) Carrier frequency was measured as 259.26885 MHz
- 2) Channel 34 (U) Carrier frequency was measured as 283.27586 MHz
- 3) Channel 43 (GG) Carrier frequency was measured as 337.28588 MHz

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Comcast 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 Comcast. 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 Office  
215 S. Wadsworth Blvd., Suite 303  
Lakewood, CO 80226

4. This Notice shall be sent to by Certified Mail/Return Receipt Requested and regular mail to Comcast of California XIV, 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

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

---

<sup>2</sup> 47 U.S.C. § 403.

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

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

**Federal Communications Commission**

---