

Federal Communications Commission

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

In the Matter of)	
)	
Constel Communications, L.P.)	File No. EB-05-TP-081
Operator of Cable Television System)	
Physical System ID # 0012918)	NOV No.V20053270004
Plymouth/Zellwood, Florida)	

NOTICE OF VIOLATION

Released: April 7, 2005

By the District Director, Tampa 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”),¹ to Constel Communications, L.P., operator of cable television system serving Plymouth/Zellwood, Florida.

2. On February 23, February 25, and March 7, 2005, agents of the Commission’s Tampa Office of the Enforcement Bureau inspected cable television system located in Plymouth/Zellwood, Florida, and observed the following violation:

- a. 47 C.F.R. § 76.605(a)(12): “...signal leakage from a cable television system shall be measured...and shall be limited as follows:” This section requires that cable operators maintain their cable system signal leakage below 20 μ V/m measured at 3 meters in the frequency band between 54 MHz and 216 MHz. Signal leakage in excess of 20 μ V/m was measured on 121.2625 MHz at the following locations.

<u>Signal Level (μV/m)</u>	<u>Location</u>
1,401	Amplifier at 2243 W. Kelly Park Rd.
460	Pole at 4543 Plymouth Sorrento Rd.
148	Pole at 4402 Plymouth Sorrento Rd.
228	Abandoned cable between Plymouth Oak Rd. and Bailey Hill Rd.
58	Splitter on pole at 1131 Plymouth Sorrento Rd.
152	Pole across the street from 2204 Plymouth Sorrento Rd.
111	Cable drop on pole between 4791 and 4783 Round Lake Rd.

¹47 C.F.R. § 1.89.

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115	Pole at 3434 W. Kelly Park Rd.
37	Pole at 3123 W. Kelly Rd.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Rules, Constel Communications, L.P., 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 operator. 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
Tampa Office
2203 N. Lois Avenue, Suite 1215
Tampa, FL 33607

4. This Notice shall be sent to Constel Communications, L.P. 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

Ralph M. Barlow
District Director
Tampa District 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.*