

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

The Curators of the University of Missouri
KMNR - FM Radio
113 University Circle West
Rolla, Missouri 65401

File No.:99KC296

OFFICIAL NOTICE OF VIOLATION

Released: June 24, 1999

By the Compliance and Information Bureau, Kansas City Field Office:

1. This is an Official Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules ("the Rules"), 47 C.F.R. § 1.89, to The Curators of the University of Missouri, licensee of broadcast station KMNR-FM, for the violations detailed below.

2. On June 18, 1999, Agent Phil Ramsey of the FCC's Kansas City Field Office inspected KMNR-FM and found the following violations:

- a. 47 C.F.R. §11.52(d): The Emergency Alert System (EAS) decoder/monitor must be tuned to receive EAS activation from the monitoring priorities named in the State EAS plan.

At the time of inspection, the station was not monitoring both stations assigned according to the EAS plan for Missouri. The state plan indicates KZNN-FM and the National Weather Service (NWS) are the stations KMNR is assigned to monitor.

- b. 47 C.F.R. §73.1820(a)(iii): Entries must be made into the station log of each test and activation of the Emergency Alert System (EAS). The log should also contain entries which adequately describe the reason why any test activation was not received and any corrective action taken. Two tests should be received each week and one test sent each week. {See also 11.35(a) and 11.61(b)}

At the time of inspection, the station log did not indicate any EAS test being received from KZNN-FM. Also, the station log did not indicate any EAS received from NWS the first week of May 1999. No reasons were provided in the station log for these omissions. It was noted that the tapes for the EAS test were kept as the stations official record for EAS but were not a part of the station logs that are to be reviewed by the chief operator at least once a week (see item "f").

- c. 47 C.F.R. §73.267(c)(2)&(3): The Efficiency Factor for the station transmitter should be available, along with the source from which this value was determined.

The Efficiency Factor was not provided nor posted at the time of inspection. Please provide what the Efficiency Factor is for the station's transmitter with your reply.

- d. 47 C.F.R. §73.3527(e)(9): The list of donors supporting specific programs is to be retained in the Public File for two years.

There were no donors list in the Public File at the time of inspection.

- e. 47 C.F.R. §73.1870(b)(3): The designation of the chief operator must be in writing with a copy of the designation posted with the station license.

At the time of inspection the chief operator designation was not in writing and posted with the station license.

- f. 47 C.F.R. §73.1870(c): The chief operator is responsible for reviewing at least once each week to determine if required entries are being made correctly. Additionally, verification must be made that the station has been operated as required by the rules or the station authorization. Upon completion of the review, the chief operator must date and sign the log, initiate any corrective action which may be necessary, and advise the station licensee of any condition which is repetitive.

There was no written indication at the time of inspection that the station logs had been reviewed by the chief operator. It was noted that the chief operator verbally indicated that she reviewed the logs at least once a week. It was further noted that the EAS tapes had no written indication that they were reviewed as required above (see item "b").

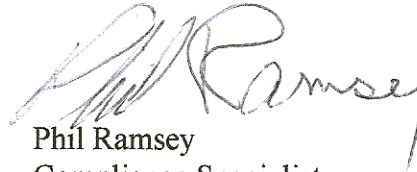
3. In accordance with Section 308(b) of the Communications Act of 1934 as amended, 47 U.S.C. § 308(b), and Section 1.89 of the Rules, 47 C.F.R. § 1.89, The Curators of the University of Missouri, shall, within 10 days of the release date indicated above, submit a written response concerning this matter to the following address:

Federal Communications Commission
8800 E. 63rd Street, Room 320
Kansas City, Missouri 64133

The response shall contain a statement of the specific actions taken to correct the violation contained in this Notice and to preclude its recurrence. A time line for completion of corrective action shall be included for any violation which has not been corrected at the time of reply.

4. All replies and documentation sent in response to this Notice should be marked "File No. 99KC296." Failure to respond to this Notice constitutes a separate violation of the Rules, and could incur additional administrative penalties, including monetary forfeiture. See Forfeiture Policy Statement, 12 FCC Rcd 17087 (1997).
5. The Privacy Act of 1974, P.L. 93-579, 5 U.S.C. § 552a(e)(3), requires that we advise you that the Commission's staff will use all relevant material information before it, including the information disclosed in your reply, to determine what, if any, enforcement action is required to ensure your compliance with our rules. 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, 18 U.S.C. § 1001 *et seq.*

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in blue ink, appearing to read "Phil Ramsey", is written over the printed name.

Phil Ramsey
Compliance Specialist