

**Federal Communications Commission**

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

In the Matter of	)	
	)	
River Broadcasting, Inc.	)	File No. EB-09-NY-0080
Licensee of Radio Station WGMY (FM)	)	
Facility ID # 89510	)	NOV No. V200932380029
Montgomery, New York	)	

**NOTICE OF VIOLATION**

**Released: March 19, 2009**

By the District Director, New York Office, Northeast 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 River Broadcasting, Inc., licensee of FM radio station WGMY in Montgomery, New York.
2. On March 15, 2009, in response to a complaint, an agent of the Commission's New York Office monitored FM station WGMY located in Montgomery, New York, and observed the following violation:

47 C.F.R. § 73.1201(a)(2): "Broadcast station identification announcements shall be made: ... Hourly, as close to the hour as feasible, at a natural break in program offerings." On March 15, 2009, the station was monitored from 11:45 a.m. to 2:00 p.m. and the station identification was observed at 12:32 p.m. and 1:32 p.m. The station was identifying on the half-hour instead of on the hour or as close to the hour as feasible.

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, River Broadcasting, Inc. 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 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:

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 308(b).

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Federal Communications Commission  
New York Office  
201 Varick Street, Suite 1151  
New York, New York 10014

4. This Notice shall be sent to River Broadcasting, Inc. 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

Daniel W. Noel  
District Director  
New York District Office  
Northeast Region  
Enforcement Bureau

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

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