



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
NORTHEAST REGION**

New England District Office

1 Batterymarch Park
Quincy, Ma. 02169
XXX-XXX-XXXX

April 28, 2005

Joseph E. Jurkenas
Brewer, Me. 04412

NOTICE OF UNLICENSED OPERATION

Case Number: EB-05-BS-026
Document Number: W20053226001

The Boston Office received information that an unlicensed broadcast radio station on 990 kHz was allegedly operating in Brewer, Maine. On April 13, 2005, agents from this office confirmed by direction finding techniques that radio signals on frequency 990 kHz were emanating from a building located near his residence. The Commission's records show that no license was issued for operation of a broadcast station at this location on 990 kHz in Brewer, Maine.

Radio stations must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level that complies with the standards established in Part 15 of the Commission's rules, 47 C.F.R. §§ 15.1 *et seq.* Your operation on frequency 990 kHz was measured at 650 $\mu\text{V}/\text{m}$ at 38 meters. This exceeds the allowable unlicensed limit of 24.24 micro volts per meter ($\mu\text{V}/\text{m}$) at 30 meters established in Part 15. Thus, this station is operating in violation of 47 U.S.C. § 301.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the owner of this illegal operation to severe penalties, including, but not limited to, substantial civil forfeitures, a maximum criminal fine of \$100,000 and/or one year imprisonment, or arrest of the equipment for the first offense (*see* 47 U.S.C. §§ 501, 503 and 510).

UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.

You have ten (10) days from the date of this notice to respond with proof of your license or authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Dennis V. Loria
District Director
New England District Office

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet", July 2003