FEDERAL COMMUNICATIONS COMMISSION

ENFORCEMENT BUREAU
WESTERN REGION

San Diego District Office
4542 Ruffner St., Suite 370
San Diego, California 92111

May 22, 2008

Ronisha White
Tucson, Arizona

NOTICE OF UNLICENSED OPERATION

Case Number: EB-08-SD-0146
Document Number: W200832940002

The San Diego Office received information that an unlicensed broadcast radio station on 103.3 MHz. was allegedly operating in Tucson, Arizona. On May 10, 2008, an agent from this office confirmed by radio direction finding techniques that radio signals on frequency 103.3 MHz were emanating from your residence in Tucson, Arizona. The Commission's records show that no license was issued for operation of a broadcast station at this location on 103.3 MHz in Tucson, Arizona.

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 103.3 MHz was measured at 5,467 microvolts per meter (µV/m) at 319 meters. This exceeds the allowable unlicensed limit of 250 µV/m at 3 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 operator of this illegal operation to severe penalties, including, but not limited to, substantial monetary forfeitures, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*See* 47 U.S.C. §§ 401, 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 any evidence that you have 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.

William R. Zears, Jr.
District Director
San Diego District Office
Western Region
Enforcement Bureau

Attachments:
Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet," March 2005