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**Federal Communications Commission**

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

In the Matter of	)	
	)	
Nextel Communications of the Mid-Atlantic Inc	)	File No. EB-09-CF-0074
Licensee of Radio Station WPSB795	)	
	)	NOV No. V200932340008
Reston, VA	)	
	)	
	)	

**NOTICE OF VIOLATION**

**Released: May 5, 2009**

By the Acting District Director, Columbia 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 Nextel Communications of the Mid-Atlantic Inc (Nextel), licensee of radio station WPSB795.

2. On April 23, 2009, in response to a complaint of interference to Anne Arundel County's public safety channels, agents of the Commission's Columbia Office, located the source of the interference to a bi-directional amplifier (BDA) located at Terminal Transportation Services, 1657A South Highland Avenue, Baltimore, MD 21224. The agents observed the following violation:

47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this section." The BDA, owned and operated by Nextel, was emitting a signal on approximately 810.2625 MHz, a frequency not authorized by the WPSB795 license.

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, Nextel must submit a written statement concerning this matter within 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 with personal knowledge of the matter. 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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Columbia Office  
9200 Farm House Lane  
Columbia, Maryland 21046

4. This Notice shall be sent to Nextel Communications Inc., 2001 Edmund Halley Drive, Reston, VA. 20191, Attn: Robert H. McNamara.

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

Richard M. Caine  
Acting District Director  
Columbia 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.*