
Federal Communications Commission

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

In the Matter of)	
)	File No.: EB-09-PA-0176
Patton Radio Company)	
)	Citation No.: C200932400002
Pittsburgh, Pennsylvania)	

CITATION

Released: September 11, 2009

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is an Official Citation issued pursuant to Section 503(b)(5) of the Communications Act of 1934, as amended (“Act”),¹ to Patton Radio Company for violation of Section 90.427(b) of the Commission’s Rules (“Rules”).²
2. An investigation by the Enforcement Bureau’s Philadelphia Office revealed that Patton Radio Company had programmed radio transmitting equipment with the frequencies 467.9000 MHz and 464.5500 MHz for which the West Mifflin Area Middle School in West Mifflin, Pennsylvania is not authorized.
3. Section 90.427(b) of the Rules states “[e]xcept for frequencies used in accordance with § 90.417, no person shall program into a transmitter frequencies for which the licensee using the transmitter is not authorized.” By programming portable radio transmitters with frequencies for which the West Mifflin Area Middle School is not authorized, Patton Radio Company violated Section 90.427(b) of the Rules.
4. Violations of the Act or the Commission’s Rules may subject the violator to substantial monetary forfeitures,³ seizure of equipment through *in rem* forfeiture action, and criminal sanctions, including imprisonment.⁴
5. Patton Radio Company may request an interview at the closest FCC Office, which is Federal Communications Commission, One Oxford Valley, Suite 404, 2300 East Lincoln Highway, Langhorne, PA 19047.⁵ You may contact this office by telephone, (XXX) XXXX-XXXX to schedule this interview, which must take place within 14 days of this Citation. Patton Radio Company may also submit a written statement to the above address within 14 days of the date of this Citation. Any written statements should specify what actions have been taken

¹ 47 U.S.C. § 503(b)(5).

² 47 C.F.R. 90.427(b).

³ 47 C.F.R. § 1.80(b)(3).

⁴ 47 U.S.C. §§ 401, 501, 503, 510.

⁵ 47 U.S.C. § 503(b)(5).

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to correct the violation outlined above. Please reference file number EB-09-PA-0176 when corresponding with the Commission.

6. Any statement or information provided by you may be used by the Commission to determine if further enforcement action is required.⁶ Any knowingly or willfully false statement made in reply to this Citation is punishable by fine or imprisonment.⁷

7. **IT IS ORDERED** that copies of this Citation shall be sent by First Class U.S. Mail and Certified Mail, Return Receipt Requested to Patton Radio Service at its record of address.

FEDERAL COMMUNICATIONS COMMISSION

Gene J. Stanbro
District Director
Philadelphia District Office
Northeast Region
Enforcement Bureau

⁶See Privacy Act of 1974, 5 U.S.C. § 552a(e)(3).

⁷See 18 U.S.C. § 1001 *et seq.*