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**Federal Communications Commission**

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

In the Matter of	)	
	)	
West Mifflin Area Middle School	)	File No. EB-09-PA-0063
Licensee of Radio Station WPTN581	)	
West Mifflin, Pennsylvania	)	NOV No. V200932400023
	)	

**NOTICE OF VIOLATION**

**Released: September 10, 2009**

By the District Director, Philadelphia 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 West Mifflin Area Middle School, licensee of Land Mobile Radio Service Station WPTN581 in West Mifflin, Pennsylvania.
2. On August 26, 2009, an agent of the Commission's Philadelphia Office inspected radio station WPTN581 located at the West Mifflin Middle School, 371 Camp Hallow Road, West Mifflin, Pennsylvania and observed the following violation:

47 C.F.R. § 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..." At the time of the inspection, the mobile radio transmitters authorized under Land Mobile Radio Service Station WPTN581 were found to be operating on the frequencies 467.900 MHz and 464.5500 MHz, which are not authorized under WPTN581 or any other authorization issued to the West Mifflin Area Middle School.
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, West Mifflin Area Middle School 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 an individual authorized to sign on behalf of West Mifflin Area Middle School. 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).

## Federal Communications Commission

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Federal Communications Commission  
Philadelphia Office  
One Oxford Valley Building, Suite 404  
2300 East Lincoln Highway  
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to West Mifflin Area Middle School 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

Gene J. Stanbro  
District Director  
Philadelphia 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.*