
Federal Communications Commission

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

In the Matter of)	
)	
Mobile Radio Service Inc.)	File No. EB-09-PA-0173
Licensee of Radio Station WPMW962)	
Pittsburgh, Pennsylvania)	NOV No. V200932400024
)	
)	

NOTICE OF VIOLATION

Released: September 11, 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 Rules¹ to Mobile Radio Service Inc. ("Mobile Radio"), the operator of a radio servicing company and the licensee of Land Mobile Radio Service Station WPMW962 in Pittsburgh, Pennsylvania.
2. On August 25, 2009, an agent of the Enforcement Bureau's Philadelphia Office, responding to a complaint of unauthorized transmissions on the frequency 45.36 MHz inspected the mobile radio station located at the Borough of West Mifflin, Public Works Department, in Pittsburgh, Pennsylvania. The Borough of West Mifflin reported that Mobile Radio Service Inc. programmed the radios. The agent contacted Mobile Radio and found the following violation:

47 C.F.R. § 90.427(b) "Except 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." Mobile Radio Service confirmed that it had programmed the frequency 45.36 MHz into the radios being used by the Borough of West Mifflin, Public Works Department without determining whether the authorization for WPRX383 included 45.36 MHz as one of its authorized frequencies.
3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Mobile Radio Service Inc. 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 a principal or officer of the licensee. All replies and

¹47 C.F.R. § 1.89.

²47 U.S.C. § 308(b).

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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:

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 Mobile Radio Service Inc. at its address of record.
5. The Privacy Act of 1974³ 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.⁴

FEDERAL COMMUNICATIONS COMMISSION

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

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*