

**Federal Communications Commission**

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

|                                    |   |                        |
|------------------------------------|---|------------------------|
| In the Matter of                   | ) |                        |
|                                    | ) |                        |
| Sergio & Karla Enterprise, Inc.    | ) | File No. EB-09-LA-0120 |
| Licensee of Maritime Radio Station | ) |                        |
| Vessel Al Carajo                   | ) |                        |
| Vessel ID 914593                   | ) | NOV No. V201032900001  |
| Huntington Beach, California       | ) |                        |
|                                    | ) |                        |

**NOTICE OF VIOLATION**

**Released:** October 16, 2009

By the District Director, Los Angeles Office, Western 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 Sergio & Karla Enterprise, Inc., licensee of ship radio station onboard vessel Al Carajo, docked in Huntington Beach, California.

2. On August 30, 2009, in response to a complaint from the United States Coast Guard, an agent of the Enforcement Bureau's Los Angeles Office determined that a continuous signal on the frequency 156.800 MHz (VHF marine channel 16) was emanating from the vessel Al Carajo, Vessel ID 914593, Hull Number OSH62093E707, and observed the following violation:

- a. 47 C.F.R. § 80.89(a): "Stations must not engage in superfluous radio communications." There appeared to be no authorized purpose for the transmission. Apparently, the radio was transmitting without the microphone button being depressed.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Sergio & Karla Enterprise, Inc., 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 Sergio & Karla Enterprise, Inc. 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. § 403.

**Federal Communications Commission**

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Federal Communications Commission  
Los Angeles Office  
18000 Studebaker Road, Suite 660  
Cerritos, CA 90703

4. This Notice shall be sent to by Certified Mail/Return Receipt Requested and regular mail to Sergio & Karla Enterprise, Inc., 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

Nader Haghghat  
District Director  
Los Angeles District Office  
Western 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.*