
Federal Communications Commission

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

In the Matter of)	
)	
B&L Service, Inc.)	File No. EB-09-MA-0169
Licensee of Radio Station KWM946)	
Fort Lauderdale, FL)	NOV No. V201032600001
)	
)	

NOTICE OF VIOLATION

Released: November 4, 2009

By the Resident Agent, Miami Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules¹ to B&L Service, Inc. ("B&L"), licensee of radio station KWM946, in Fort Lauderdale, FL.
2. On October 23, 2009, based on a Commission licensee's complaint of radio interference, agents of the Commission's Miami Office monitored radio station KWM946 on the frequency 152.360 MHz and observed the following violations:
 - a. 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." Furthermore, 47 C.F.R. § 1.903(b) states: "The holding of an authorization does not create any rights beyond the terms, conditions and period specified in the authorization." B&L is authorized under its license, KWM946, to operate a base station on 152.360 MHz only from 1635 North Federal Highway, Hollywood, FL, at coordinates 26° 01' 35.3" N latitude and 080° 08' 35.2" W longitude, with an antenna height of 30 meters. B&L is also authorized by its license, KDS336, to operate a base station on 152.420 MHz from One Financial Plaza, Fort Lauderdale, FL, at coordinates 26° 07' 17.3" N latitude and 080° 09' 00.2" W longitude, with an antenna height of 114 meters. The agents observed that B&L was transmitting on frequency 152.360 MHz from One Financial Plaza. B&L personnel stated that it was operating under call sign KWM946 on 152.360 MHz from One Financial Plaza. Thus, B&L was operating on 152.360 MHz from a location which is 6.58 miles from the

¹47 C.F.R. § 1.89.

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authorized location and with an antenna height which exceeds the authorized height by 82 meters.

- b. 47 C.F.R. § 90.425(a): “Except as provided for in paragraphs (d) and (e) of this section, each station or system shall be identified by the transmission of the assigned call sign during each transmission or exchange of transmissions, or once each 15 minutes (30 minutes in the Public Safety Pool) during periods of continuous operation. The call sign shall be transmitted by voice in the English language or by International Morse Code in accordance with paragraph (b) of this section...” On October 23, 2009, between 12 noon and 1:30 p.m., agents observed that B&L did not transmit its call sign identification KWM946 on the frequency 152.360 MHz.
3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, B&L 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 B&L. 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:
- Federal Communications Commission
Miami Office
PO Box 520617
Miami, FL 33152-0617
4. This Notice shall be sent to B&L 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

Steven DeSena
Resident Agent

²47 U.S.C. § 308(b).

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*

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