
Federal Communications Commission

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

In the Matter of)	
)	
Rio School District)	
)	File No. EB-09-LA-0132
Licensee of Radio Station KIM499)	
)	
Oxnard, California)	
)	
)	NOV No. V201032900005
)	

NOTICE OF VIOLATION

Released: December 10, 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,¹ to Rio School District, licensee of radio station KIM499 in Oxnard, California.

2. On September 24, 2009, and October 22, 2009, an agent of the Enforcement Bureau's Los Angeles Office located and conducted monitoring of station KIM499 located at 2500 Vineyard Avenue, Oxnard, California. During the monitoring, along with an inspection, conducted on October 22, 2009, the agent observed the following violation:

- a. 47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Service 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 monitoring and inspection, KIM499 was operating on 462.625 MHz which is a frequency not authorized by the KIM499 license.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Rio School District of Oxnard, 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

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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must be complete in itself and signed by a principal or officer of the Rio School District. 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
Los Angeles Office
18000 Studebaker Road, Suite 660
Cerritos, CA 90703

4. This Notice shall be sent by Certified Mail/Return Receipt Requested and regular mail to Rio School District 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

Nader Haghighat
District Director
Los Angeles District Office
Western Region
Enforcement Bureau

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*