

Federal Communications Commission

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

In the Matter of)	
)	
Mobile Communications Inc.)	File No. EB-09-PA-0278
Licensee of Radio Station KNIM872)	
Philadelphia, Pennsylvania)	NOV No. V201032400026
)	
)	

NOTICE OF VIOLATION

Released: February 18, 2010

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 Communications Inc., the licensee of radio station KNIM872 in Philadelphia, Pennsylvania.

2. On December 2, 2009 between 3:00 p.m. and 4:15 p.m. in response to a complaint of harmful interference to station KNIM872, an agent of the Commission’s Philadelphia Office monitored the radio transmissions on the frequency 464.250 MHz from station KNIM872 in Philadelphia, Pennsylvania and observed the following violation:

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.” The agent observed that Mobile Communications Inc. was operating the 464.250 MHz repeater station from an unauthorized location.

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 Communications 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 Mobile Communications Inc. All replies

¹47 C.F.R. § 1.89.

²47 U.S.C. § 308(b).

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

4. This Notice shall be sent to Mobile Communications, 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 Office
Northeast Region
Enforcement Bureau

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*