

---

**Federal Communications Commission**

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

In the Matter of

Christiana Care Health Services.  
Licensee of Radio Station WPKP328  
Newark, Delaware

)  
)  
)  
)  
)  
)  
)

File No. EB-09-PA-0190

NOV No. V2010324000027

**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 Rules<sup>1</sup> to Christiana Care Health Services ("Christiana Health"), licensee of radio station WPKP328.
2. On September 19, 2009 between 1:30 p.m. and 4:00 p.m., an agent of the Commission's Philadelphia Office monitored the transmissions from station WPKP328 on the frequency 163.250 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, except as specified in paragraph (b) of this section." Christiana Health was transmitting data on the frequency 163.250 MHz for a digital paging system. The license for station WPKP328 only authorizes FM analog telephony emissions (F3E) on the frequency 163.250 MHz. The F3E class of emission does not authorize data transmissions.
  - b. 47 C.F.R. § 90.425(a): "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." Christiana Health failed to transmit the proper call sign identification KYZ204 on the frequency 163.250 MHz. Instead,

---

<sup>1</sup>47 C.F.R. § 1.89.

## Federal Communications Commission

---

Christiana Health was transmitting "DE CCHS BT TX" in Morse code on the frequency 163.250 MHz to identify station WPKP328.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Christiana Care Health Services 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 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 Christiana Care Health Services 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

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

---

<sup>2</sup>47 U.S.C. § 308(b).

<sup>3</sup>P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup>18 U.S.C. § 1001 *et seq.*