

**Federal Communications Commission**

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

In the Matter of	)	
	)	
Montgomery Mall	)	File No. EB-11-PA-0023
Licensee of Radio Stations WPGZ450 and KEH854	)	
North Wales, Pennsylvania	)	NOV No. V201132400015
	)	
	)	

**NOTICE OF VIOLATION**

**Released: March 4, 2011**

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 the Montgomery Mall, the licensee of stations WPGZ450 and KEH854 in North Wales, Pennsylvania.

2. On February 18, 2011, agents of the Enforcement Bureau's Philadelphia Office inspected radio stations WPGZ450 and KEH854 located at the Montgomery Mall in North Wales, 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, except as specified in paragraph (b) of this section." At the time of inspection, the Montgomery Mall was operating a repeater system on the unauthorized frequency pair 463.375 MHz/468.375 MHz for its Management Department and operating a repeater system on the unauthorized frequency pair 461.325 MHz/466.325 MHz for its Housekeeping Department.

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

4. This Notice shall be sent to by Certified Mail/Return Receipt Requested and regular mail to the Montgomery Mall 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 Office  
Northeast 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.*