

Federal Communications Commission

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

In the Matter of)	
)	
Providence Alaska Medical Center)	File No. EB-11-AN-0018
Licensee of Radio Station WPUQ810)	
Anchorage, Alaska)	NOV No. V201132780002

NOTICE OF VIOLATION

Released: April 22, 2011

By the Resident Agent, Anchorage Resident Agent 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 Providence Alaska Medical Center ("Providence"), licensee of private land mobile radio station, WPUQ810 in Anchorage, Alaska.

2. On March 17, 2011, in response to a complaint, an agent from the Anchorage Resident Agent Office, investigated the WPUQ810 operations at 1700 Hillcrest Drive, Anchorage, Alaska, and observed the following violations:

- a. 47 C.F.R. § 90.210(b)(3): "Except as indicated elsewhere in this part, transmitters used in the radio services governed by this part must comply with the emission masks outlined in the section. ...[T]he power of any emission must be attenuated below the unmodulated carrier output power (P) ... On any frequency removed from the center of the authorized bandwidth by more than 250 percent of the authorized bandwidth: At least $43 + 10 \log(P)$ dB." At the time of the investigation, the Anchorage agent observed spurious emissions centered around 72.06 MHz that exceeded the required emission mask.

- b. 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." Pursuant to the WPUQ810 authorization, operation on 72.06 MHz is limited to mobile operations with an output power of one watt. At the time of the investigation, the agent observed that Providence was operating on 72.06 MHz at a fixed location and with an output power in excess of one watt.

¹ 47 C.F.R. § 1.89.

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3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Providence Alaska Medical Center, 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 Providence Alaska Medical Center. 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
Anchorage Resident Agent Office
Enforcement Bureau
PO Box 221849
Anchorage, AK 99522-1849

4. This Notice shall be sent to Providence Alaska Medical Center 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

David J. Charlton
Resident Agent
Anchorage Resident Agent Office
Western Region
Enforcement Bureau

² 47 U.S.C. § 308(b).

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*