

**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
WESTERN REGION**



San Diego Office
4542 Ruffner St. Suite 370
San Diego, California 92111

May 5, 2011

Gregory C. Schuller, Sr.
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Arizona City, Arizona

NOTICE OF UNLICENSED OPERATION

Case Number: EB-10-SD-0217
Document Number: W201132940007

The San Diego Office received information that an unlicensed broadcast radio station on 1610 KHz was allegedly operating in Arizona City, Arizona. On April 21, 2011, agents from this office confirmed by direction finding techniques that radio signals on frequency 1610 kHz were emanating from your residence in Arizona City, Arizona. The Commission's records show that no license was issued for operation of a broadcast station at this location on 1610 kHz in Arizona City, Arizona. The Pinal County Assessor's records list you as the owners of the residence.

Radio stations must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level that complies with the standards established in Part 15 of the Commission's Rules, 47 C.F.R. §§ 15.1 *et seq.* The field strength of the signal on frequency 1610 KHz was measured at 1,900 microvolts per meter ($\mu\text{V}/\text{m}$) at 130 meters, which exceeded the maximum permitted level of 14.9 $\mu\text{V}/\text{m}$ (24,000/1610) at 30 meters established in Section 15.209 of the Rules (*See* 47 C.F.R. §15.209(a)).

Another exception, for some transmitters operating in the 510 kHz to 1705 kHz band is found in 47 C.F.R. §15.219. Specifically, Section 15.219(b) of the Rules states “the total length of the transmission line, antenna, and ground lead (if used) shall not exceed approximately 3 meters.” (*See* 47 C.F.R. §15.219(b).) During the investigation on April 21, 2011, the agents observed that the approximate length of the antenna, transmission line and the ground lead was 8 meters. This installation violated Section 15.219(b) of the Rules.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator of this illegal operation to severe penalties, including, but not limited to, substantial monetary forfeitures, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*See* 47 U.S.C. §§ 401, 501, 503 and 510.)

UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.

You have ten (10) days from the date of this notice to respond with any evidence that you have authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

James T. Lyon
District Director
San Diego Office
Western Region
Enforcement Bureau

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet," March 2005