

**Federal Communications Commission**

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

In the Matter of	)	
	)	
City School District of Oswego.	)	File No. EB-11-BF-0010
Licensee of Radio Station WQLK292	)	
Oswego, New York	)	NOV No. V201132280002
	)	
	)	

**NOTICE OF VIOLATION**

**Released: July 8, 2011**

By the Resident Agent, Buffalo 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 City School District of Oswego (Oswego"), the licensee of Private Land Mobile Station WQLK292 in Oswego, New York.

2. On June 28, 2011, an agent of the Enforcement Bureau's Buffalo Office investigated Station WQLK292 in Oswego, New York and observed the following violations:

- a. 47 C.F.R. § 90.403(c): "Except for stations that have been granted exclusive channels under this part and that are classified as commercial mobile radio service providers pursuant to Part 20 of this chapter, each licensee must restrict all transmissions to the minimum practical transmission time and must employ an efficient operating procedure designed to maximize the utilization of the spectrum." During the investigation, the agent found that the station transmitted a steady carrier on 156.0 MHz for at least three hours.
- b. 47 C.F.R. § 90.425(a): "Except as provided for in paragraphs (d) and (e) of this section, 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 agent monitored Station WQLK292 for several hours and at no time was the call sign identification heard.

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, Oswego 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

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 403.

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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 Oswego. 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  
Buffalo Office  
6400 Sheridan Drive, Suite 140  
Williamsville, New York 14221

4. This Notice shall be sent to City School District of Oswego 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

David Viglione  
Resident Agent  
Buffalo 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.*