



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
NORTHEAST REGION**

Chicago District Office
1550 North Northwest Highway, Room 306
Park Ridge, Illinois 60068

July 5, 2011

Kou D. Her
St. Paul, Minnesota

via Certified Return Receipt Requested
and First Class Mail

NOTICE OF UNLICENSED OPERATION

Case Number: EB-11-CG-0129
Document Number: W201132320009

The Chicago Office received information that unlicensed broadcast radio stations on 1620 kHz and 1630 kHz were allegedly operating in St. Paul, Minnesota. On May 16, 2011, an agent from this office confirmed by direction finding techniques that (1) radio signals on frequency 1620 kHz were emanating from 1146 Rice Street in St. Paul and (2) radio signals on frequency 1630 kHz were emanating from 399 East Maryland Avenue in St. Paul. The Commission's records show that no licenses were issued for operation of broadcast stations at these locations on 1620 kHz and 1630 kHz in St. Paul, Minnesota. The owners of the properties where these stations are located reported to the agent that they granted you permission to install transmitters at those locations.

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 1620 kHz (1146 Rice Street) was measured at 470 microvolts per meter ($\mu\text{V}/\text{m}$) at 1243 meters, which exceeded the maximum permitted level of 14.8 $\mu\text{V}/\text{m}$ (24,000/1620) at 30 meters established in section 15.209(a) of the Rules (*See* 47 C.F.R. §15.209(a)). Similarly, the field strength of the signal on 1630 kHz (399 East Maryland Avenue) was measured at 450 $\mu\text{V}/\text{m}$ at 599 meters, which also exceeded the maximum permitted level of 14.7 $\mu\text{V}/\text{m}$ at 30 meters.

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 inspection on May 16, 2011, the agent observed that the approximate length of the antenna, transmission line and the ground lead at 1146 Rice Street was approximately 26 meters. Similarly, the ground lead at 399 East Maryland Avenue exceeded approximately 3 meters in length. These installations 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 M. Roop
District Director
Chicago District Office
Northeast Region
Enforcement Bureau

Attachments:

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