

Federal Communications Commission

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

In the Matter of)	
)	
United Independent Taxi Drivers, Inc.)	File No. EB-11-LA-0204
)	
Licensee of Radio Station WQJN841)	NOV No. V201232900008
Los Angeles, CA)	

NOTICE OF VIOLATION

Released: December 15, 2011

By the District Director, Los Angeles 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 United Independent Taxi Drivers, Inc., (“United Taxi”) licensee of radio station WQJN841, Los Angeles, CA.

2. On October 13, 2011 and October 14, 2011, in response to a complaint, agents from the Enforcement Bureau’s Los Angeles Office monitored the frequency 463.6875 MHz, and used direction finding techniques to locate the station WQJN841, which was found to be located at the top of Oak Mountain in Van Nuys, CA. The agents 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.” At the time of the investigation, agents observed that WQJN841 was transmitting on 463.6875 MHz nearly continuously.
- b. 47 C.F.R. § 90.403(e): Licensees shall take reasonable precautions to avoid causing harmful interference. This includes monitoring the transmitting frequency for communications in progress and such other measures as may be necessary to minimize the potential for causing interference.” At the time of the investigation, agents monitored WQJN841 and observed a digitally modulated continuous signal, on 463.6875 MHz, a frequency shared with other licensees in the Los Angeles area.

¹ 47 C.F.R. § 1.89.

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- c. 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.” At the time of the investigation, agents monitored WQJN841 for an extended period and observed that WQJN841 did not identify with a call sign.

- d. 47 C.F.R. § 1.903(a): “General Rule. 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.” The authorization lists the United Taxi transmitter’s location in Van Nuys California, with the coordinates at 34° 19’ 26.0” north latitude, 118° 34’ 37.3” west longitude. The transmitter’s current location is in Van Nuys California, with coordinates of 34° 19’ 44.6” north latitude, 118° 36’ 5.3” west longitude, which was approximately 2317 meters from the authorized coordinates.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, United Taxi must submit a written statement concerning this matter within twenty (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 United Taxi. 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
Los Angeles District Office
18000 Studebaker Road, Suite 660
Cerritos, CA 90703

4. This Notice shall be sent to United Independent Taxi Drivers, Inc., at its address of record.

² 47 U.S.C. § 308(b).

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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

Nader Haghghat
District Director
Los Angeles District Office
Western Region
Enforcement Bureau

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*