

Federal Communications Commission

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

In the Matter of)	
)	
Dallas Area Rapid Transit Authority)	File No. EB-FIELDSCR-12-00002210
)	NOV No. V20123250015
Licensee of Station KNGK465)	
)	
Dallas, Texas)	

NOTICE OF VIOLATION

Released: May 17, 2012

By the District Director, Dallas Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's Rules,¹ to Dallas Area Rapid Transit Authority, licensee of Land Mobile Radio Service Station KNGK465, in Dallas, Texas.

2. On May 1, 2012, agents of the Enforcement Bureau's Dallas Office inspected radio station KNGK465 located in Dallas, Texas, and observed the following violation(s):

- a. 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." At the time of inspection, Radio Station KNGK465 at 901 Main was operating on 858.3875 MHz and 857.6875 MHz. Station KNGK465 is not authorized to operate on the frequency 858.3875 MHz.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Dallas Area Rapid Transit Authority, 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, to 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 the Dallas Area Rapid Transit Authority.

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 403.

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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
Dallas Office
9330 LBJ Freeway, Suite 1170
Dallas, Texas, 75243

4. This Notice shall be sent to by Certified Mail/Return Receipt Requested and regular mail to Dallas Area Rapid Transit Authority 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

James D. Wells
District Director
Dallas District Office
South Central Region
Enforcement Bureau

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*