FEDERAL COMMUNICATIONS COMMISSION

ENFORCEMENT BUREAU
NORTHEAST REGION

New York Office
201 Varick Street
New York, NY 10014
(212) 337-1865

June 25, 2012

Lindoff Lindsay
Brooklyn, New York

NOTICE OF UNLICENSED OPERATION

Case Number: EB-11-NY-0113
Document Number: W201232380044

The New York Office received information that an unlicensed broadcast radio station on 99.9 MHz was allegedly operating in Brooklyn, New York. On June 14, 2012, agents from this office confirmed by direction finding techniques that radio signals on frequency 99.9 MHz were emanating from 220 Highland Boulevard, Brooklyn, New York. The Commission's records show that no license was issued for operation of a broadcast station on 99.9 MHz at this location in Brooklyn, New York.

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 or mode of operation 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 99.9 MHz was measured at 5,403 microvolts per meter (μV/m) at 639 meters, which exceeded the maximum permitted level of 250 μV/m at 3 meters for non-licensed devices. Thus, this station is operating in violation of 47 U.S.C. § 301.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization or providing services and facilities incidental to the operation of an unlicensed radio transmitter constitutes a violation of the Federal laws cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *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.

Luis Salazar
Acting District Director
New York Office

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