

Federal Communications Commission

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

In the Matter of)
)
Florida Presbyterian Homes) File No. EB-FIELDSCR-12-00002987
) NOV No. V201232700008
Licensee of Station WQOB390)
)
Lakeland, Florida)

NOTICE OF VIOLATION

Released: July 6th, 2012

By the District Director, Tampa 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 Florida Presbyterian Homes, licensee of Land Mobile Radio Service Station WQOB390, in Lakeland, Florida.

2. On May 2, 2012, agents of the Enforcement Bureau's Tampa Office inspected Station WQOB390 located in Lakeland, Florida, and observed the following violation:

- 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, Station WQOB390 was operating on frequencies 152.960, 157.590, 151.940, and 156.000 MHz, even though it is authorized to operate on frequencies 152.330, 157.590, 152.405, and 157.665.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's rules, Florida Presbyterian Homes, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 403.

Federal Communications Commission

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 Florida Presbyterian Homes. 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
Tampa Office
4010 W. Boy Scout Blvd., Suite 425
Tampa, Florida, 33607

4. This Notice shall be sent to by Certified Mail/Return Receipt Requested and First Class Mail to Florida Presbyterian Homes 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

Ralph M. Barlow
District Director
Tampa 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.*