

Federal Communications Commission

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

In the Matter of)	
)	
Radio One, Inc.)	File No. EB-FIELDSCR-12-00003025
)	NOV No. V201232700009
)	
Orlando, 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 Radio One Communications Service Company² in Orlando, 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. § 90.427(b): "Except for frequencies used in accordance with § 90.417, no person shall program into a transmitter frequencies for which the licensee using the transmitter is not authorized." At the time of the inspection, agents found that Florida Presbyterian Homes was operating on unauthorized frequencies. The agents later determined that Radio One, Inc. had programmed radio transmitting equipment for Florida Presbyterian Homes with three unauthorized frequencies, 152.960, 151.940, and 156.000 MHz.
3. Pursuant to Section 403 of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's Rules, Radio One, Inc. 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 Radio One Communications Service Company. 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:

¹ 47 C.F.R. § 1.89.

² Radio One Inc. has several licenses in the Industrial/Business Pool, Conventional Service.

³ 47 U.S.C. § 403.

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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 Radio One Communications Service Company at its address of record.

5. The Privacy Act of 1974⁴ 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.⁵

FEDERAL COMMUNICATIONS COMMISSION

Ralph M. Barlow
District Director
Tampa District Office
South Central Region
Enforcement Bureau

⁴ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁵ 18 U.S.C. § 1001 *et seq.*