

Federal Communications Commission

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

In the Matter of)	
)	
Chauvin Communications, Inc.)	File No. EB-FIELDSCR-13-00008451
)	NOV No. V201332620015
)	
Morgan City, LA)	
)	

NOTICE OF VIOLATION

Released: May 17, 2013

By the Deputy Regional Director, New Orleans 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 (Rules) to Chauvin Communications, Inc.² in Morgan City, Louisiana.
2. On April 29, 2013, agents of the Enforcement Bureau’s New Orleans Office conducted an investigation and determined 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.” Agents determined Chauvin Communications, Inc. programmed radio transmitting equipment for Fire Protection District 11, licensee with call sign WQOM992, with an unauthorized frequency of 151.0775 MHz.
3. Pursuant to Section 403 of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Chauvin Communications, Inc. must submit a written statement concerning this matter within 20 days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

¹ 47 C.F.R. § 1.89.

² Chauvin Communications, Inc. has a license in the Industrial/Business Pool, Conventional Service, call sign WPPD373.

³ 47 U.S.C. § 403.

⁴ 47 C.F.R. § 1.89(c).

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4. In accordance with Section 1.16 of the Rules, we direct Chauvin Communications, Inc. to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Chauvin Communications, Inc. with personal knowledge of the representations provided in Chauvin Communications, Inc.'s response, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. 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
New Orleans Office
2424 Edenborn Ave. Suite 460
Metairie, LA 70001

6. This Notice shall be sent to Chauvin Communications, Inc. at its address of record.

⁵ Section 1.16 of the Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'.⁷" 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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7. The Privacy Act of 1974⁷ 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.⁸

FEDERAL COMMUNICATIONS COMMISSION

Loyd Perry
Deputy Regional Director
New Orleans District Office
South Central Region
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁸ 18 U.S.C. § 1001 *et seq.*