



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
SOUTH CENTRAL REGION**

Miami Office
P.O. Box 520617
Miami, FL 33152

September 9, 2013

Lee Pennington
West Palm Beach, FL

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDSCR-13-00010892
Document Number: W201332600001

The Miami Office received information from the U.S. Coast Guard in Miami, FL that a base station operating on 156.8 MHz was causing interference to Marine Channel 16 on frequency 156.8 MHz.¹ On August 29, 2013, agents from this office determined by using direction finding techniques that radio signals on 156.8 MHz were emanating from a base station operated by you from your residence in West Palm Beach, FL. You admitted operating and ceased operation of the base station during the inspection. The Commission's records indicate that no license has been issued to Lee Pennington in West Palm Beach, FL to operate any radio station on 156.8 MHz.

Radio stations must be licensed by the FCC pursuant to 47 U.S.C. § 301. There are no exceptions to this requirement on 156.8 MHz.²

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization 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 NOT RESUME.

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.

¹ See 47 C.F.R. § 80.373(f) (designating 156.800 as Marine Channel 16, distress, safety, and calling).

² Non-licensed Part 15 operations, except for spurious emissions, are prohibited between 156.7-156.9 MHz. See 47 C.F.R. § 15.205(a).

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.

Michael Mattern
Resident Agent
Miami Office
South Central Region
Enforcement Bureau

Attachments:

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