

**Federal Communications Commission**

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

In the Matter of	)	
	)	
Thomas Ryan Price	)	File No.: EB-FIELDWR-14-00015731
Licensee of Amateur Radio Station W7WL	)	
	)	
Sweet Home, Oregon	)	NOV No.V201432920047

**NOTICE OF VIOLATION**

**Released: June 5, 2014**

By the Resident Agent, Portland Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)<sup>1</sup> to Thomas Ryan Price, licensee of Station W7WL in Sweet Home, Oregon. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.<sup>2</sup>

2. On May 13, 2014, agents of the Enforcement Bureau's Portland Office monitored and inspected Station W7WL located in Sweet Home, Oregon, and observed the following violations:

- a. 47 C.F.R. § 97.101(d): "No amateur operator shall willfully or maliciously interfere with or cause interference to any radio communication or signal." On May 13, 2014, in response to interference complaints, the Portland agents, using radio direction finding techniques, located the source of the interfering signal on frequency 3908 kHz to Mr. Price's residence in Sweet Home, Oregon.
- b. 47 C.F.R. § 97.113(a)(4): "No amateur station shall transmit music using a phone emission except as specifically provided elsewhere in this section." On May 13, 2014, the Portland agents observed that Mr. Price was transmitting music on frequency 3908 kHz from his amateur radio station in Sweet Home, Oregon.

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 C.F.R. § 1.89(a).

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- c. 47 C.F.R. § 97.119(a): “Each amateur station, except a space station or telecommand station, must transmit its assigned call sign on its transmitting channel at the end of each communication, and at least every 10 minutes during a communication, for the purpose of clearly making the source of the transmissions from station known to those receiving the transmissions. No station may transmit unidentified communications or signals, or transmit as the station call sign, any call sign not authorized to the station.” On May 13, 2014, the Portland agents monitored and observed that Mr. Price did not transmit his assigned call sign, W7WL, at the end at each communication.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Mr. Price, must submit a written statement concerning this matter within twenty (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.<sup>4</sup>

4. In accordance with Section 1.16 of the Rules, we direct Mr. Price to support his response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by Mr. Price showing personal knowledge of the representations provided in his response, verifying the truth and accuracy of the information therein,<sup>5</sup> 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.<sup>6</sup>

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:

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<sup>3</sup> 47 U.S.C. § 308(b).

<sup>4</sup> 47 C.F.R. § 1.89(c).

<sup>5</sup> 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)’.” 47 C.F.R. § 1.16.

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

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Portland Office  
P.O. Box 61469  
Vancouver, Washington 98666-1469

6. This Notice shall be sent to Thomas Ryan Price at his address of record.

7. The Privacy Act of 1974<sup>7</sup> 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.

FEDERAL COMMUNICATIONS COMMISSION

Binh Nguyen  
Resident Agent  
Portland Office  
Western Region  
Enforcement Bureau

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<sup>7</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).