



**FEDERAL COMMUNICATIONS COMMISSION**  
**ENFORCEMENT BUREAU**  
**WESTERN REGION**

**San Francisco Office**  
5653 Stoneridge Drive, Suite 105  
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July 17, 2014

Nelson Gomez  
Hughson, California

**NOTICE OF UNLICENSED OPERATION**

Case Number: EB-FIELDWR-14-00016177  
Document Number: W201432960003

The San Francisco Office received information that an unlicensed broadcast radio station on 95.9 MHz was allegedly operating on Fowler Peak, California and causing interference to the Federal Aviation Administration (FAA) on their Terminal Radar Approach Control Facilities (TRACON) frequency 126.475 MHz. On June 5, 2014, agents from this office confirmed by direction finding techniques that radio signals on frequency 95.9 MHz were emanating from Fowler Peak, a/k/a Bear Mountain, near Angels Camp, California. Spurious emissions from this transmitter were causing interference to the FAA communications on 126.475 MHz. The Commission's records show that no license was issued for operation of a broadcast station at this location on 95.9 MHz near Angels Camp, California.

Radio stations must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level that complies with the standards established in Part 15 of the Commission's rules, 47 C.F.R. §§ 15.1 *et seq.* The field strength of the signal on frequency 95.9 MHz exceeded the maximum permitted level of 250 microvolts per meter ( $\mu\text{V}/\text{m}$ ) at 3 meters for non-licensed devices. Thus, this station is operating in violation of 47 U.S.C. § 301.

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 of this illegal operation to severe penalties, including, but not limited to, substantial monetary forfeitures, *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 BE DISCONTINUED IMMEDIATELY.**

You have ten (10) days from the date of this notice to respond with proof of your license or 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. 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.

David K. Hartshorn  
District Director  
San Francisco Office  
Western Region  
Enforcement Bureau

Attachments:

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