



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
REGION 2**

Miami Office
P.O. Box 266468
Weston, FL 33326

May 2, 2016

Designed Electrical Solutions, Inc.
Medley, Florida

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDSCR-16-00021565
Document Number: W201632600008

On April 27, 2016, in response to a complaint of radio interference to licensed public safety communications, agents from the Miami Office confirmed by direction finding techniques that radio signals on frequency 458.325 MHz were emanating from Hytera and Motorola portable two-way radio equipment used by employees of Designed Electrical Solutions, Inc. (DES) at a construction site at 7875 NW 107th Ave., Doral, FL 33178. These same portable radios also operated on the frequencies 463.8125 MHz, 468.825 MHz, 461.025 MHz, and 466.025 MHz. The construction crew was also in possession of other Motorola portable radios which operated on 152.945 MHz, 157.53 MHz, and 154.54 MHz. DES personnel stated that they owned and operated the radios, and did not have a radio license for their operation. The Commission's records show that no license was issued for operation of a radio station on 458.325 MHz, or any of the aforementioned frequencies, at this location in Doral, Florida.

Radio stations operating on many frequencies, including 458.325 MHz and the other frequencies mentioned above, 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 Hytera and Motorola transmitters used by DES are authorized under Part 90 of the Commission's Rules and may only be operated with a valid FCC radio station license. 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 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 BE DISCONTINUED IMMEDIATELY.

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. 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.

Ronald Ramage
Regional Director

Attachments:

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