



**FEDERAL COMMUNICATIONS COMMISSION  
ENFORCEMENT BUREAU  
REGION 2**

**Atlanta Office**  
3575 Koger Blvd; Ste 320  
Duluth, GA 30096

May 10, 2016

Mike Dudley  
Guntersville, Alabama

**NOTICE OF UNLICENSED OPERATION**

Case Number: EB-FIELDSCR-16-00021618  
Document Number: W201632480001

On May 3, 2016, an agent from this office confirmed by direction finding techniques that radio signals on frequency 103.9 MHz were emanating from your residence in Guntersville, Alabama. The Commission's records show that no license was issued for operation of a broadcast station at this location on 103.9 MHz in Guntersville, Alabama.

Radio stations operating on many frequencies, including 103.9 MHz, 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.* On May 3, 2016, field strength measurements of the signal on frequency 103.9 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 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