

Federal Communications Commission

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

In the Matter of)	
)	
International Aerospace Solutions, Inc.)	File No.: EB-FIELDWR-17-00023984
Licensee of Radio Station KTHO (AM))	
Facility ID # 51528)	
)	
South Lake Tahoe, California)	
)	

NOTICE OF VIOLATION

Released: June 26, 2017

By the Regional Director, Region Three, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s rules (Rules)¹ to International Aerospace Solutions, Inc., licensee of Station KTHO (AM), South Lake Tahoe, California. 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 violations noted herein.²

2. On March 28, 2017, an agent of the Enforcement Bureau’s San Francisco Office attempted to inspect Station KTHO (AM) in South Lake Tahoe, California, and observed violations of the following Rules:

- a. 47 CFR § 1.5 (a): “Each licensee shall furnish the Commission with an address to be used by the Commission in serving documents or directing correspondence to that licensee. Unless any licensee advises the Commission to the contrary, the address contained in the licensee’s most recent application will be used by the Commission for this purpose.” At the time of inspection, the official mailing address as listed in the Commission records was incorrect. The licensee must submit a “Change in Official Mailing Address for Broadcast Station” form.

- b. 47 CFR § 73.1125(a) of the Rules requires broadcast stations to maintain a main studio. The Commission has interpreted Section

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

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73.1125 (also known as the “Main Studio Rule”) to require, among other things, that a licensee maintain a “meaningful management and staff presence” at its main studio. Specifically, the Commission has found that a main studio “must, at a minimum, maintain full-time managerial and full-time staff personnel.” At the time of inspection there were no employees, and no managerial or staff presence, at the location that was specified by the licensee as the main studio. There had been no employee presence for several hours. The agent called the station at its specified phone number several times but no one representing the station answered the calls.

- c. 47 CFR § 73.1225(a): “The licensee of a broadcast station shall make the station available for inspection by representatives of the FCC during the station’s business hours, or any time the station is in operation.” The Commission agent was unable to conduct an inspection because there was no staff or managerial presence at the station.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, International Aerospace Solutions, Inc., must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must (i) fully explain each violation, including all relevant surrounding facts and circumstances, (ii) contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) include a time line for completion of any pending corrective action(s). Further, the response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct International Aerospace Solutions, Inc. to support his response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by International Aerospace Solutions, Inc., verifying the truth and accuracy of the information therein,⁵ 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

³ 47 U.S.C. § 308(b).

⁴ 47 CFR § 1.89(c).

⁵ 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 CFR § 1.16.

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imprisonment under Title 18 of the U.S. Code.⁶

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:

Federal Communications Commission
Los Angeles Regional Office
18000 Studebaker Road, Suite 660
Cerritos, CA 90703

6. This Notice shall be sent to International Aerospace Solutions, Inc. at its address of record.

7. The Privacy Act of 1974⁷ 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

Lark Hadley
Regional Director
Region Three
Enforcement Bureau

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 CFR § 1.17.

⁷ See 5 U.S.C. § 552a(e)(3).