
Federal Communications Commission

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

In the Matter of)	
)	
Youngers Colorado Broadcasting LLC)	File No. EB-FIELDSCR-17-00024660
Licensee of Radio Station W266BW)	
Facility ID # 147273)	
)	
Atlanta, GA)	
)	

NOTICE OF VIOLATION

Released: August 9, 2017

By the Regional Director, Region Two, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to Youngers Colorado Broadcasting LLC (Youngers), licensee of radio station translator W266BW in Atlanta, Georgia. Pursuant to Section 1.89(a) of the Rules, issuance of this NOV does not preclude the Federal Communications Commission's Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On July 6, 2017, in response to a complaint of interference, an agent of the Enforcement Bureau's Atlanta Office monitored the transmitter of Station W266BW FM, located at coordinates 33° 48' 26" N and 84° 20' 22" W and observed the following violation:

- a. 47 C.F.R. § 74.23(a): "The licensee of any station authorized under this part that causes harmful interference, as defined in § 2.1 of the Commission's rules, to radio communications involving the safety of life or protection of property shall promptly eliminate the interference." Youngers operated an unlicensed radio station on frequency 123.05 MHz for approximately one week, which caused harmful interference to the aviation band. Station W266BW was only authorized to operate on frequency 101.1 MHz.

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

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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, Youngers 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.⁴

4. In accordance with Section 1.16 of the Rules, we direct Youngers to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Youngers with personal knowledge of the representations provided in Youngers response, 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 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. specified above, and mailed to the following address:

Federal Communications Commission
Office of the Director - Region Two
3600 Hiram Lithia Springs Rd. SW
Powder Springs, GA 30127

6. This Notice shall be sent to Youngers at its address of record.

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.

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

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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

Ronald Ramage
Director - Region Two
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).