



**FEDERAL COMMUNICATIONS COMMISSION  
ENFORCEMENT BUREAU  
REGION ONE**

Columbia Regional Office  
9200 Farm House Lane  
Columbia, Maryland 21046

March 21, 2017

Francisco Roa  
Bronx, New York

**NOTICE OF UNLICENSED OPERATION**

Case Number: EB-FIELDNER-16-00021869

The New York Office received information that an unlicensed broadcast radio station on 94.3 MHz was allegedly operating in Bronx, New York. On March 8, 2017, an agent from this office confirmed by direction finding techniques that radio signals on frequency 94.3 MHz were emanating from 2324 Morris Ave. Bronx, New York 10468. Agents also confirmed that the station was being identified as "Super 94.3, La Leona." Previously, on March 6, 2017, agents confirmed that you are an operator of the unlicensed station by monitoring a live call-in program that you host. The Commission's records show that no license was issued for operation of a broadcast station on 94.3 MHz at this location in Bronx, New York.

Radio stations operating on many frequencies, including 94.3 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 or mode of operation 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 94.3 MHz was measured at 417,853 microvolts per meter ( $\mu\text{V}/\text{m}$ ) at 3 meters, which exceeded the maximum permitted level of 250  $\mu\text{V}/\text{m}$  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.

David C. Dombrowski  
Regional Director  
Region One  
Enforcement Bureau  
Federal Communications Commission

Attachments:

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