



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
REGION THREE**

Los Angeles Regional Office
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April 20, 2018

California State University East Bay
25800 Carlos Bee Blvd.
Hayward, CA 94542

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDWR-18-00026102

On February 15, 2018, an Agent from the San Francisco Office of the Federal Communications Commission's (FCC or Commission's) Enforcement Bureau (Bureau) investigated a complaint of interference to an authorized Land Mobile Radio Service Station operating on the frequency 464.6375 MHz in Daly City, California. During the investigation, the Agent found that the California State University East Bay, Hayward, California, was operating a transmitter on 464.6375 MHz that was the source of the interference. The Commission's records show that no license was issued for California State University East Bay to operate on the frequency 464.6375 MHz at this location in Hayward, California.

Radio stations must be licensed by the FCC pursuant to Section 301 of the Communications Act of 1934, as amended (Act).¹ The only exception to this licensing requirement is for a transmitter 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.² On February 15, 2018, you operated on frequency 464.6375 MHz without an authorization. Thus, this station is operating in violation of Section 301 of the Act.³

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 may subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem*

¹ 47 U.S.C. § 301.

² 47 CFR §§ 15.1 *et seq.*

³ 47 U.S.C. § 301.

arrest action against the offending radio equipment, and criminal sanctions, including imprisonment.⁴

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 number. Under the Privacy Act of 1974,⁵ 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.

Lark Hadley
Regional Director
Region Three
Enforcement Bureau

Attachments:

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

⁴ See 47 U.S.C. §§ 401, 501, 503 and 510.

⁵ 5 U.S.C. § 552a(e)(3).