

Federal Communications Commission

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

In the Matter of)	
)	
First Unitarian Universal Life Church of Hanford)	File No.: EB-FIELDWR-17-00025514
)	
Licensee of Station KOOH-LP)	
)	
Hanford, California)	

NOTICE OF VIOLATION

Released: June 5, 2018

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 the First Unitarian Universal Life Church of Hanford (First Unitarian), licensee of the low power FM station KOOH-LP in Hanford, 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 violation noted herein.²

2. On November 15, 2017, Agents of the Enforcement Bureau’s Los Angeles Office inspected the radio station KOOH-LP, and observed the following violation:

47 C.F.R. 73.845: “Each LPFM licensee is responsible for maintaining and operating its broadcast station in a manner that complies with the technical rules set forth elsewhere in this part and in accordance with the terms of the station authorization.” The radio license for KOOH-LP authorizes its transmitting antenna to be located at 12175 Lacey Boulevard, Hanford, California, at coordinates N 36° 19’ 40”, W 119° 40’ 34”. At the time of the inspection, Agents observed that the actual location of the transmitting antenna was located at 101 N. Irwin Street, Hanford, CA at coordinates of N 36° 19’ 32.51" and W 119° 38’ 50.41", revealing a discrepancy of approximately 1.71 miles.

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

Federal Communications Commission

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, First Unitarian 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 First Unitarian to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of First Unitarian with personal knowledge of the representations provided in the First Unitarian 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
Los Angeles Regional Office
11331 183rd Street, PMB #365
Cerritos, CA 90703
Field@FCC.gov

6. This Notice shall be sent to First Unitarian Universal Life Church of Hanford, at 12175 Lacey Blvd., Hanford, CA 93230 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.

Federal Communications Commission

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

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).