

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

In the Matter of)
)
Ontario Christian School Association)
Licensee of Radio Station WQOK645)
)
Ontario, California)
)

File No: EB-FIELDWR-17-00025530

NOTICE OF VIOLATION

Released: June 25, 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 rules of the Federal Communications Commission¹ to Ontario Christian School Association, licensee of radio station WQOK645, in Ontario, California. Pursuant to Section 1.89(a) of the Commission's rules, issuance of this Notice does not preclude the Commission's Enforcement Bureau (Bureau) from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On December 26, 2017 and January 17, 2018, agents from the Bureau's Los Angeles Office monitored radio station WQOK645 located on Santiago Peak in Corona, California, and observed violations of the following rule:

- a. 47 C.F.R. § 90.403(e): "Licensees shall take reasonable precautions to avoid causing harmful interference. This includes monitoring the transmitting frequency for communications in progress and such other measures as may be necessary to minimize the potential for causing interference." WQOK645 was transmitting a digitally modulated signal that lasted approximately 5 seconds, and did so repeatedly at approximately every 30 seconds. The transmissions were on 461.700 MHz, a frequency shared with other licensees in the Los Angeles area. WQOK645 was not monitoring the transmitting frequency, as the transmissions occurred even when co-channel communications were in progress, thus causing harmful interference.

3. On January 17, 2018, agents from the Bureau's Los Angeles Office inspected radio station WQOK645 located on Santiago Peak in Corona, California, and observed a violation of the following rule:

- a. 47 C.F.R. § 1.903(a): "*General rule.* Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this section.” WQOK645’s authorization list an ERP of 5 watts for a 461.700 MHz station on Santiago Peak. The inspection determined the station’s ERP was 14 watts (based on the measured output power, transmission line, and antenna). Thus, the station was operating with an ERP 2.8 times greater than that listed on the authorization.

4. 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, Ontario Christian School Association 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

5. In accordance with Section 1.16 of the Rules, we direct Ontario Christian School Association to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Ontario Christian School Association with personal knowledge of the representations provided in Ontario Christian School Association’s 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

6. 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 183’rd St.
PMB #365
Cerritos, CA 90703

7. This Notice shall be sent to Ontario Christian School Association 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.

8. 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 See 5 U.S.C. § 552a(e)(3).