

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

In the Matter of)	
)	
AMS Spectrum Holdings, LLC,)	
)	File No.: EB-FIELDNER-18-00027237
Licensee of Stations WPQM962 and)	
WPKT947)	
)	
Columbus, Ohio)	
)	

NOTICE OF VIOLATION

Released: October 4, 2018

By the Regional Director, Region One, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s rules (Rules)¹ to AMS Spectrum Holdings, LLC (AMS), licensee of Paging Stations WPQM962 and WPKT947 in Columbus, Ohio. 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 violations noted herein.²

2. On June 5, 2018 in response to an interference complaint, an agent of the Enforcement Bureau’s Columbia Office inspected stations³ WPQM962 and WPKT947 located at the OhioHealth Doctors Hospital, 5100 West Broad Street, Columbus, Ohio and observed the following violations:

- a. 47 C.F.R. § 22.359(a): Out of band Emissions. “The power of any emission outside of the authorized operating frequency ranges must be attenuated below the transmitting power (P) by a factor of at least $43 + 10 \log (P)$ dB.” At the time of the inspection, the agent found that the AMS paging transmitter operating on 931.3375 MHz under the Part 22 Paging Station (CZ) License WPQM962 was generating spurious emissions that exceeded the emission mask limits and were causing harmful interference to the United Parcel Services Inc.’s trunk system operating on the frequencies 896.3875 MHz and 897.9000 MHz under the license WQZA318.

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

³ Both channels were originating from the same transmitter, a Glenayre Model: GL-T8600, FCC ID: BFLGL-T8600. The Commission’s Grant of Equipment Authorization authorizes the transmitter for both Part 22 and Part 90 operation.

- b. 47 C.F.R. § 90.210(b)(3): *Emission Mask B*. “For transmitters that are equipped with an audio low-pass filter, the power of any emission must be attenuated below the unmodulated carrier power (P) as follows: ... On any frequency removed from the assigned frequency by more than 250 percent of the authorized bandwidth: At least $43 + 10 \log (P)$ dB.” At the time of the inspection, the agent found that AMS paging transmitter operating on 929.9375 MHz under the Part 90 Private Carrier Paging (GS) Station License WPKT947 was generating spurious emissions that exceeded the emission mask limits and were causing harmful interference to the United Parcel Services Inc.’s trunk system operating on the frequencies 896.3875 MHz and 897.9000 MHz under the license WQZA318.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,⁴ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, AMS Spectrum Holdings, L.L.C. 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.⁵

4. In accordance with Section 1.16 of the Rules, we direct AMS Spectrum Holdings, L.L.C. to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of AMS Spectrum Holdings, L.L.C. with personal knowledge of the representations provided in AMS Spectrum Holdings, L.L.C.’s response, verifying the truth and accuracy of the information therein,⁶ and confirming that all of the information requested by this Notice which is in AMS Spectrum Holdings, L.L.C.’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.⁷

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
Enforcement Bureau Columbia Regional Office

⁴ 47 U.S.C. § 308(b); 47 CFR § 1.89.

⁵ 47 CFR § 1.89(c).

⁶ 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.

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

9050 Junction Drive
Annapolis Junction, Maryland 20201

6. This Notice shall be sent to AMS Spectrum Holdings, L.L.C., 1720 Lakepointe Drive, Suite 100, Lewisville Texas 75057-6425.

7. The Privacy Act of 1974⁸ 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

David C. Dombrowski
Regional Director
Region One
Enforcement Bureau

⁸ 5 U.S.C. § 552a(e)(3).