



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
REGION TWO**

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October 16, 2018

Jose Sandoval Cortes
Miami, Florida

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDSCR-18-00027439

On September 22, 2018, Agents from the Miami Office of the Federal Communications Commission's (Commission's) Enforcement Bureau confirmed by direction finding techniques that radio signals on frequency 93.3 MHz were emanating from a Recreational Vehicle (RV) parked at a residential property on SW 297th St. in Miami, Florida. Agents confirmed, through investigation, that you are the operator of the unlicensed radio station. The Commission's records show that no license was issued for operation of a radio station at this location on 93.3 MHz in Miami, Florida.

Radio stations operating on a range of frequencies,¹ including 93.3 MHz, must be licensed by the FCC pursuant to Section 301 of the Communications Act of 1934, as amended (Act).² The only exception to this licensing requirement is for certain transmitters using or operating at a power level that complies with the standards established in Part 15 of the Commission's rules.³ On September 22, 2018, the Agents found that the unlicensed station was operating at a power level that exceeds the level permitted by Part 15. The field strength of the signal on frequency 93.3 MHz was measured at levels exceeding the maximum permitted level of 250 microvolts per meter ($\mu\text{V}/\text{m}$) at 3 meters for non-licensed devices. Thus, this station was operating in violation of Section 301 of the Act.⁴

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* seizure of the offending radio equipment, and criminal sanctions including imprisonment.⁵

¹ 47 CFR § 73.201.

² 47 U.S.C. § 301.

³ 47 CFR §§ 15.1 *et seq.*

⁴ 47 U.S.C. § 301.

⁵ See 47 U.S.C. §§ 401, 501, 503 and 510.

UNLICENSED OPERATION OF THIS RADIO STATION MUST NOT RESUME.

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 Commission. Your response should be sent to the address in the letterhead and reference the listed case number. Under the Privacy Act of 1974,⁶ 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 the Commission's rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Ronald D. Ramage
Regional Director
Region Two
Enforcement Bureau
Federal Communications Commission

Attachments:

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

⁶ 5 U.S.C. § 552a(e)(3).