

Federal Communications Commission

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

In the Matter of)	
)	
Centro Evangelico Emmanuel Inc.)	File No. EB-FIELDWR-18-00026669
Licensee of Station KOXC-LP)	
)	
Facility ID: 196712)	
)	
Oxnard, California)	

NOTICE OF VIOLATION

Released: November 19, 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 Centro Evangelico Emmanuel Inc. (Centro), licensee of Low Powered FM (LPFM) station KOXC-LP in Oxnard, 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(s) noted herein.²

2. On October 17, 2018, in response to a complaint, Agents of the Enforcement Bureau’s Los Angeles office investigated and found the following violations:

- a. 47 C.F.R. 73.1745(a): “No broadcast station shall operate at times, or with modes or power, other than those specified and made a part of the license, unless otherwise provided in this part.” On October 17, 2018, during the inspection Agents observed that KOXC’s transmitter output power was 300 watts, which exceeded the transmitter output power of 110 watts authorized by its license.

- b. 47 C.F.R. 11.41: “All EAS Participants specified in §11.11 are categorized as Participating National (PN) sources, and must have immediate access to an EAS Operating Handbook.” At the inspection on October 17, 2018 the licensee did not have a copy of the EAS handbook available.

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

Federal Communications Commission

3. In accordance with Section 1.16 of the Rules, we direct Centro to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Centro with personal knowledge of the representations provided in Centro's response, verifying the truth and accuracy of the information therein,³ 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.⁴

4. 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

5. This Notice shall be sent to Centro Evangelico Emmanuel Inc. at 1031 Factory Lane, Oxnard, CA 93030, its address of record.

6. The Privacy Act of 1974⁵ 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.

³ 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 C.F.R. § 1.16.

⁴ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

⁵ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

Federal Communications Commission

FEDERAL COMMUNICATIONS COMMISSION

Lark Hadley
Regional Director
Region Three
Enforcement Bureau