



**FEDERAL COMMUNICATIONS COMMISSION  
ENFORCEMENT BUREAU  
REGION THREE**

**Los Angeles Regional Office**  
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(562) 860-7474

February 6, 2019

Nancy Graham  
Santa Cruz, California 95062

Case Number: EB-FIELDWR-18-00027444

**NOTICE OF UNLICENSED OPERATION**

On October 25, 2018, an Agent from the San Francisco Office (San Francisco Office) of the Federal Communications Commission's (FCC's or Commission's) Enforcement Bureau (Bureau) responded to a complaint of an unlicensed FM station operating on the frequency 101.3 MHz in Santa Cruz, California. The Agent confirmed by direction finding techniques that a radio signal on 101.3 MHz was emanating from 1205 Broadway, Santa Cruz, California. Through investigation, the Agent determined that you are the operator of the station. The Commission's records show that no license was issued for operation of a broadcast station on 101.3 MHz at this location in Santa Cruz, California.

Radio stations operating on a range of frequencies,<sup>1</sup> including 101.3 MHz, must be licensed by the FCC pursuant to Section 301 of the Communications Act of 1934, as amended (Act).<sup>2</sup> The only exception to this licensing requirement is for certain transmitters using or operating at a power level or mode of operation that complies with the standards established in Part 15 of the Commission's rules.<sup>3</sup> On October 25, 2018, the Agent measured the field strength of the signal on the frequency 101.3 MHz and found that it exceeded the maximum permitted level of 250 microvolts per meter ( $\mu\text{V}/\text{m}$ ) at 3 meters established under Part 15. Thus, this station is operating in violation of Section 301 of the Act.<sup>4</sup>

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.<sup>5</sup>

**UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED  
IMMEDIATELY AND MUST NOT RESUME.**

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<sup>1</sup> 47 CFR § 73.201.

<sup>2</sup> 47 U.S.C. § 301.

<sup>3</sup> 47 CFR §§ 15.1 *et seq.*

<sup>4</sup> 47 U.S.C. § 301.

<sup>5</sup> *See* 47 U.S.C. §§ 401, 501, 503 and 510.

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,<sup>6</sup> 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.

Failure to take steps to resolve this interference may result in additional sanctions and/or forfeiture actions. You may contact this office if you have any questions.

FEDERAL COMMUNICATIONS COMMISSION

Lark Hadley  
Regional Director  
Region Three  
Enforcement Bureau

Attachments:

Excerpts from the Communications Act of 1934, As Amended  
Enforcement Bureau, "Inspection Fact Sheet," March 2005

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<sup>6</sup> 5 U.S.C. § 552a(e)(3).