



Federal Communications Commission
Enforcement Bureau
Region Two

Atlanta Regional Office
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February 25, 2019

BY UPS AND FIRST CLASS MAIL

Charles McCorkle
GB Holdings of Georgia, Inc.
Decatur, Georgia

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDSCR-19-00028415

The Atlanta Office of the Federal Communications Commission's (Commission's) Enforcement Bureau has received a complaint of an unlicensed FM station operating on frequency 88.9 MHz and causing harmful interference to the reception of licensed broadcast stations. On February 6, 2019 and February 7, 2019, an Agent from the Atlanta Office confirmed by direction finding techniques that radio signals on frequency 88.9 MHz were emanating from 4225 Snapfinger Woods Drive in Decatur, Georgia. The Agent observed that the station identified itself as "The Community's Voice". The Commission's records show no license issued for operation of a radio station on 88.9 MHz at this location.

Radio stations operating on certain frequencies,¹ including 88.9 MHz, must be licensed by the Commission 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 or mode of operation that complies with the standards established in Part 15 of the Commission's rules.³ The Agent found that the station at your home was operating at a power level that exceeds the level permitted by Part 15. The field strength of the signal on frequency 88.9 MHz was measured at levels exceeding the maximum permitted level of 250 microvolts per meter at 3 meters for non-licensed devices. Therefore, this station is operating in violation of Section 301.⁴

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 BE DISCONTINUED IMMEDIATELY AND 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 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).