

Federal Communications Commission

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

In the Matter of)	
)	
L and G Car Service)	File No. EB-FIELDNER-19-00028519
)	
Licensee of Station WQVL958)	FRN: 0024367070
)	
Paterson, New Jersey)	
)	

NOTICE OF VIOLATION

Released: March 12, 2019

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 L and G Car Service (LG), licensee of Land Mobile Radio Service Station WQVL958 in Paterson, New Jersey. 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 February 25, 2019, in response to a public safety complaint, an Agent of the Enforcement Bureau's New York Office inspected Station WQVL958 in Paterson, New Jersey and observed the following violation:

47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part... ." LG was operating Station WQVL958 on an unauthorized frequency. According to the station license, WQVL958, LG is authorized to operate a base station (FB) and mobile units (MO) only on the frequency 159.8025 MHz. At the time of inspection, the Agent determined that LG was operating the base station on the unauthorized frequency 154.8025 MHz.

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

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3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended (Act), and Section 1.89 of the Commission's rules, we seek additional information concerning the violations and any remedial actions taken.³ Therefore, LG 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.⁴

4. In accordance with Section 1.16 of the Commission's rules, we direct LG to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of LG with personal knowledge of the representations provided in LG's response, verifying the truth and accuracy of the information therein, 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.⁵ 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.⁶

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
9050 Junction Drive
Annapolis, Maryland 20701
FIELD@FCC.GOV

6. This Notice shall be sent to L and G Car Service, 445 Broadway, Paterson, New Jersey 07501.

³ 47 U.S.C. 308(b); 47 CFR § 1.89.

⁴ 47 CFR § 1.89(c).

⁵ Section 1.16 of the Commission's 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.

⁶ 18 U.S.C. §§ 1001, *et seq.*; *see also* 47 CFR § 1.17.

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7. The Privacy Act of 1974⁷ 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
Federal Communications Commission-

⁷ 5 U.S.C. § 552a(e)(3).