



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
REGION THREE**

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May 18, 2018

Danny Preston
Los Angeles, California 90026

Case Number: EB-FIELDWR-18-00026073

NOTICE OF UNLICENSED OPERATION

On January 26, 2018, Agents from the Los Angeles 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 87.9 MHz in Los Angeles, CA. The Agents confirmed, by direction finding techniques that a radio signal on 87.9 MHz was emanating from your residence located on Lemoyne Street, Los Angeles, CA. On March 28, 2018, an Agent from the Los Angeles Office again confirmed by direction finding techniques that a radio signal on 87.9 MHz was emanating from your residence located on Lemoyne Street, Los Angeles, CA. The Commission's records show that no license was issued for operation of a broadcast station on 87.9 MHz at this location in Los Angeles, CA. Radio stations operating on certain frequencies, including 87.9 MHz,¹ 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 or mode of operation that complies with the standards established in Part 15 of the Commission's rules.³ On January 26, 2018, Agents measured the field strength of the signal on the frequency 87.9 MHz and found that it exceeded the maximum permitted level of 100 microvolts per meter (μ V/m) at 3 meters established under Part 15. On March 28, 2018, an Agent again measured the field strength of the signal on the frequency 87.9 MHz and found that it was operating at a power level that exceeded the level permitted by Part 15. The field strength of the signal on frequency 87.9 MHz was measured at levels exceeding the maximum permitted level of 100 microvolts per meter (μ V/m) at 3 meters for non-licensed devices. Thus, this station is 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

¹ 47 CFR § 73.601.

² 47 U.S.C. § 301.

³ 47 CFR §§ 15.1 *et seq.*

⁴ 47 U.S.C. § 301.

severe penalties, including, but not limited to, substantial monetary fines, *in rem* seizure of the offending radio equipment, and criminal sanctions including imprisonment.⁵

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.

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

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

⁶ 5 U.S.C. § 552a(e)(3).