



**FEDERAL COMMUNICATIONS COMMISSION  
ENFORCEMENT BUREAU  
REGION ONE**

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June 27, 2019

Anibal Liriano  
Bronx, New York

**NOTICE OF UNLICENSED OPERATION AND  
NOTIFICATION OF HARMFUL INTERFERENCE**

Case Number: EB-FIELDNER-17-00025031

The Federal Communications Commission (FCC or Commission) received a complaint concerning an apparent unauthorized broadcast station operating on 89.7 MHz in the Bronx, New York and causing harmful interference to the reception of licensed station WKCR which operates on 89.9 MHz in New York, New York. On March 7, 2019 and May 1, 2019, Agents from the New York Office (NY Office) of the Commission's Enforcement Bureau (Bureau) investigated and confirmed by direction finding techniques that radio signals on the frequency 89.7 MHz were emanating from a multi-family dwelling at 1375 Grand Concourse, Bronx, NY 10452. Agents confirmed, through investigation, that you are an operator of the unlicensed radio station and maintain a studio at 1160 Crownwell Avenue, Suite #2, Bronx New York 10452. The Commission's records show that no license was issued for operation of a broadcast station on 89.7 MHz at these locations in the Bronx.

Radio stations operating on a range of frequencies,<sup>1</sup> including 89.7 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 March 7, 2019, Agents measured the field strength of the signal on the frequency 89.7 MHz for the station and found that it exceeded the maximum permitted level of 250  $\mu$ V/m at 3 meters for non-licensed devices. Thus, this station is operating in violation of section 301 of the Act.<sup>4</sup>

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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.

Operation of radio transmitting equipment without a valid FCC authorization or license is a violation of section 301 of the Act<sup>5</sup> and may subject the responsible parties to substantial monetary fines, in rem arrest action against the offending radio equipment, and criminal sanctions including imprisonment. Because unlicensed operation creates a danger of interference to important radio communications services and may subject the operator to severe penalties, this letter emphasizes the importance of complying strictly with these legal requirements.<sup>6</sup>

**UNAUTHORIZED OPERATION OF THIS RADIO TRANSMITTING DEVICE AND ASSOCIATED HARMFUL INTERFERENCE MUST CEASE 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 FCC. Your response should be sent to the address in the letterhead and reference the listed case number. Under the Privacy Act of 1974,<sup>7</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 FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

David C. Dombrowski  
Regional Director  
Region One  
Enforcement Bureau  
Federal Communications Commission

Attachments:

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

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<sup>5</sup> 47 U.S.C. § 301.

<sup>6</sup> See 47 U.S.C. §§ 401, 501, 503 and 510.

<sup>7</sup> 5 U.S.C. § 552a(e)(3).