

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

In the Matter of)	
)	
Clean Rivers Cooperative)	File No.: EB-FIELDWR-19-00028940
Licensee of Radio Station WPDJ613)	
)	
FRN: 0009591389)	
)	
Portland, Oregon)	

NOTICE OF VIOLATION

Released: July 12, 2019

By the Regional Director, Region Three, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s rules (Rules)¹ to Clean Rivers Cooperative (CRC), licensee of radio station WPDJ613 in Portland, Oregon. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Federal Communications Commission’s (Commission’s) Enforcement Bureau (Bureau) from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On April 23, 2019, an Agent of the Bureau’s Portland Office responded to an interference complaint on frequency 150.980 MHz from the Maritime Fire & Safety Association, licensee of radio station WPCH254. Using radio direction finding equipment, the Agent located the source of the interfering signal on 150.980 MHz to an unauthorized VHF repeater operating on an output frequency 150.980 MHz, installed at the Port of Vancouver, 2527 NW Harbor Drive, Vancouver, Washington 98660. The Agent observed the following violation:

a. 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 and with a valid authorization granted by the Commission under the provisions of this part. . . .”³ At the time of the investigation, CRC was operating radio station WPDJ613 on 150.980 MHz, an unauthorized frequency.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,⁴ and Section 1.89 of the Rules, we seek additional information concerning the violation and any remedial actions taken. Therefore, CRC 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

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

³ 47 CFR § 1.903(a).

⁴ 47 U.S.C. § 308(b).

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.⁵

4. In accordance with Section 1.16 of the Rules, we direct CRC to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of CRC with personal knowledge of the representations provided in CRC's response, verifying the truth and accuracy of the information therein,⁶ and confirming that all of the information requested by this Notice which is in CRC's possession, custody, control, or knowledge has been produced. 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.⁷

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
Los Angeles Regional Office
11331 183rd Street, PMB #365
Cerritos, CA 90703
Email: Field@FCC.gov

6. This Notice shall be sent to Clean Rivers Cooperative, Attn: Casey Comer, 200 SW Market Street, Suite 190, Portland, Oregon 97201.

7. The Privacy Act of 1974⁸ 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

Lark Hadley
Regional Director
Region Three
Enforcement Bureau

⁵ 47 CFR § 1.89(c).

⁶ Section 1.16 of the 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.

⁷ 18 U.S.C. § 1001 *et seq.* See also 47 CFR § 1.17.

⁸ P.L. 93-579, 5 U.S.C. § 552a(e)(3).