

Federal Communications Commission

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

In the Matter of)	
)	
Iglesia Pentecostal Casa De Dios Para Las Naciones Inc.)	File No.: EB-FIELDNER-19-00029928
Licensee of LPFM Station KCGG-LP)	Facility ID: 194452
)	
Kansas City, Kansas)	FRN: 0023073927
)	

NOTICE OF VIOLATION

Released: February 25, 2020

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 rules¹ to Iglesia Pentecostal Casa De Dios Para Las Naciones Inc, (Iglesia), licensee of Low Powered FM Station KCGG-LP, Kansas City, Kansas (Station). Pursuant to section 1.89(a) of the Commission’s 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 January 30, 2020, an Agent of the Enforcement Bureau’s Chicago Office inspected KCGG-LP and observed the following violations:

a. 47 CFR § 73.840: “An LPFM station with an authorized TPO of ten watts or less may operate with less than the authorized power, but not more than 105% of the authorized power.” The Station’s license (License No. BLL-20160212AAD) authorizes a transmitter power output of 10 watts. At the time of the inspection, the Agent observed the transmitter power output was 49.9 watts or 499% times of the authorized power.

b. 47 CFR § 73.1820(a)(1)(iii): “Entries must be made in the station log either manually by a person designated by the licensee who is in actual charge of the transmitting apparatus, or by automatic devices meeting the requirements of paragraph (b) of this section... The following information must be entered.... An entry of each test and activation of the Emergency Alert System (EAS) pursuant to the requirement of part 11 of this chapter and the EAS Operating Handbook. Stations may keep EAS data in a special EAS log which shall be maintained at a convenient location; however, this log is considered a part of the station log.” At the time of the inspection, there was no station log showing entries of the EAS activations and tests including the required weekly or monthly EAS tests.

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,³ and section 1.89 of the Commission's rules,⁴ we seek additional information concerning the violation and any remedial actions taken. Therefore, Iglesia 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.⁵

4. In accordance with section 1.16 of the Commission's rules, we direct Iglesia to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Iglesia with personal knowledge of the representations provided in the 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 the Iglesia'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
Columbia Regional Office
9050 Junction Drive
Annapolis, Maryland 20701

6. This Notice shall be sent to Iglesia Pentecostal Casa De Dios Para Las Naciones Inc., 636 Minnesota Avenue, Kansas City, Kansas 66101.

³ 47 U.S.C. § 308(b).

⁴ 47 CFR § 1.89.

⁵ 47 CFR § 1.89(c)

⁶ 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.

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

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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

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

⁸ P.L. 93-579, 5 U.S.C. § 552a(e)(3).