

Federal Communications Commission

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

In the Matter of)	
)	
1520 Radio Asia LLC)	File No.: EB-FIELDNER-20-00030740
Licensee of AM Station WTRI)	Facility ID: 67755
)	
Brunswick, Maryland)	FRN: 0024551400
)	

NOTICE OF VIOLATION

Released: April 29, 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 Federal Communications Commission’s (Commission or FCC) rules¹ to 1520 Radio Asia LLC, licensee of AM radio station WTRI serving Brunswick, Maryland. Pursuant to section 1.89(a) of the Commission’s rules, issuance of this Notice does not preclude the Enforcement Bureau from taking further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On January 28, 2020, in response to a complaint, an Agent of the Enforcement Bureau’s Columbia Office monitored WTRI and observed the following violations of the Commission’s rules:

- a. 47 CFR § 73.1720: “Daytime. Operation is permitted during the hours between average monthly local sunrise and average monthly local sunset.” On January 28, 2019, AM Station WTRI continued to operate well past the average monthly local sunset time of 5:15 pm EST for January. The license BL-20020627AAY only authorizes daytime operation for AM Station WTRI.

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, 1520 Radio Asia LLC, 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

¹ 47 CFR § 1.89.

² *Id.* § 1.89(a).

³ 47 U.S.C. § 308(b); 47 CFR § 1.89.

⁴ 47 CFR § 1.89(c).

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4. In accordance with section 1.16 of the Commission's rules, we direct 1520 Radio Asia LLC, to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of 1520 Radio Asia, LLC, with personal knowledge of the representations provided in 1520 Radio Asia, LLC'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 company'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 Number, specified above, and mailed and emailed to the following address:

Federal Communications Commission
EB Columbia Regional Office
9050 Junction Drive
Annapolis Junction, MD 20701
FIELD@FCC.gov

6. This Notice shall be sent to 1520 Radio Asia LLC, 1520 National Road, Edison, New Jersey 08817 and its counsel, Cary S. Tepper, Tepper Law Firm, LLC, 4900 Auburn Avenue, Suite 100, Bethesda, Maryland 20814.

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

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 deClarotion, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn deClarotion, certification, verification, or statement in writing of such person Such deClarotion shall be subscribed by the deClaront 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)'." *Id.* § 1.16.

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

⁷ 5 U.S.C. § 552a(e)(3).