**Before the**

Federal Communications Commission

Washington, D.C. 20554

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| In the Matter of  Adams Radio of Tallahassee, LLC  Licensee of Station WQTL  Tallahassee, Florida | **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)**  **)** | File No.: EB-FIELDSCR-21-00032415  Facility ID: 31792 |

Notice of violation

**Released: July 20, 2021**

By the Regional Director, Region Two, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to section 1.89 of the Commission’s rules[[1]](#footnote-3) to Adams Radio of Tallahassee, LLC, licensee of radio station WQTL in Tallahassee, Florida. 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 violation(s) noted herein.[[2]](#footnote-4)
2. On June 15, 2021, agents of the Enforcement Bureau’s Miami Office inspected radio station WQTL located at 3002 Olson Rd. Tallahassee, FL 32308, and observed the following violation:
3. 47 CFR § 73.317(d): “Any emission appearing on a frequency removed from the carrier by more than 600 kHz must be attenuated at least 43 + 10 Log10 (Power, in watts) dB below the level of the unmodulated carrier, or 80 dB, whichever is the lesser attenuation.” WQTL’s Effective Radiated Power (ERP) is 2250 Watts; therefore, emissions appearing on a frequency removed from the carrier frequency by more than 600 kHz must be attenuated by at least 76.52 dB. WQTL’s fundamental frequency, 106.1 MHz, had a signal level of -24.35 dBm. The Enforcement Bureau’s agents conducted measurements on spurious emissions emanating from WQTL’s transmitter on two frequencies that were removed from the carrier frequency by more than 600 kHz. Spurious emissions on 121.249 MHz had a signal level of -54.89 dBm, and spurious emissions on 136.41 MHz had a signal level of -75.50 dBm. The spurious emissions identified on 121.249 MHz and 136.41 MHz have signal levels in excess of the limit for such emissions determined pursuant to Section 73.317(d) of the Commission’s rules.
4. 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]](#footnote-5) Therefore, Adams Radio of Tallahassee, 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]](#footnote-6)
5. In accordance with section 1.16 of the Commission’s rules, we direct Adams Radio of Tallahassee, 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 Adams Radio of Tallahassee, LLC with personal knowledge of the representations provided in Adams Radio of Tallahassee, 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 licensee’s possession, custody, control, or knowledge has been produced.[[5]](#footnote-7) 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]](#footnote-8)
6. 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

Atlanta Regional Office

P.O. Box 1492

Powder Springs, GA 30127

Field@fcc.gov

1. This Notice shall be sent to Adams Radio of Tallahassee, LLC at its address of record, and to Gregg P. Skall, Esq., Womble Dickinson LLP, 1200 Nineteenth Street, N.W, Suite 500, Washington, DC 20036.
2. The Privacy Act of 1974[[7]](#footnote-9) 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

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Regional Director, Region Two

Enforcement Bureau

1. 47 CFR § 1.89. [↑](#footnote-ref-3)
2. 47 CFR § 1.89(a). [↑](#footnote-ref-4)
3. 47 U.S.C. § 308(b); 47 CFR § 1.89. [↑](#footnote-ref-5)
4. 47 CFR § 1.89(c). [↑](#footnote-ref-6)
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 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. [↑](#footnote-ref-7)
6. 18 U.S.C. §§ 1001, *et seq*.; *see also* 47 CFR § 1.17. [↑](#footnote-ref-8)
7. 5 U.S.C. § 552a(e)(3). [↑](#footnote-ref-9)