

Federal Communications Commission

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

In the Matter of)	
)	
Martin T. Anderson)	File No.: EB-FIELDWR-23-00035167
Licensee of Station WQQP653)	
)	
Vancouver, WA 98665)	FRN: 0005524665

NOTICE OF VIOLATION

Released: June 7, 2023

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 rules¹ to Martin T. Anderson, licensee of radio station WQQP653 in Vancouver, Washington. 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

2. On April 26, 2023, in response to a complaint, an agent of the Enforcement Bureau’s Portland Office monitored frequency 462.725 MHz and subsequently inspected radio station WQQP653 located at the Meissner Lookout Deer Island, Oregon, and observed the following violation:

- a. 47 CFR § 95.1733(a)(10): “GMRS stations must not communicate continuous or uninterrupted transmissions, except for communications involving the immediate safety of life or property.” On April 26, 2023, the FCC inspecting Agent found a faulty transceiver—model Motorola Radius, FCCID# ABZ89FT4771, Serial Number 778TSNF068—transmitting continuous, unmodulated signals on frequency 462.725 MHz at the Meissner Lookout communications site in Deer Island, Oregon.

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, Martin T. Anderson 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

4. In accordance with section 1.16 of the Commission’s rules, we direct Martin T. Anderson to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

³ 47 U.S.C. § 308(b); 47 CFR § 1.89.

⁴ 47 CFR § 1.89(c).

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dated by an authorized officer of Martin T. Anderson with personal knowledge of the representations provided in Martin T. Anderson'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 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 to the following address:

Federal Communications Commission
Los Angeles Regional Office
11331 183rd Street, PMB#365
Cerritos, CA 90703

6. This Notice shall be sent to Martin T. Anderson at his address of record.

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

Lark Hadley
Regional Director, Region Three
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 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.

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

⁷ 5 U.S.C. § 552a(e)(3).