

**Federal Communications Commission**

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

In the Matter of	)	
	)	
Envision Networks LLC	)	File No.: EB-FIELDWR-23-00034884
	)	
Licensee of Station WQVQ603	)	FRN: 0028502102
	)	
Plano, Texas	)	

**NOTICE OF VIOLATION**

**Released: July 19, 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 rules<sup>1</sup> to Envision Networks LLC (Envision), licensee of radio station WQVQ603 in Pocatello, Idaho. 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.<sup>2</sup>

2. On May 16, 2023, an agent of the Enforcement Bureau’s Denver Office monitored radio station WQVQ603 located at the Chinese Peak communications site in Pocatello, Idaho, and observed the following violation(s):

- a. 47 CFR § 96.39(c): “*Registration with SAS*. A CBSD must register with and be authorized by an SAS prior to its initial service transmission.” During the on-site investigation conducted on May 16, 2023, the FCC Agent observed that radio frequency transmissions on the frequency band 3675 - 3695 MHz were emanating from an antenna at a site on Chinese Peak. On May 17, 2023, a representative from Envision checked and confirmed with the FCC Denver Agent that signals on 3675 - 3695 MHz were being transmitted by Envision at the Chinese Peak site. The Denver Agent compared preliminary registration data provided by the spectrum access system (SAS) administrator, Google, and confirmed that there were no SAS registrations granted to Envision at this site. On June 7, 2023, an FCC Agent received an email from a representative of Google to confirm that Envision did not register to operate on the frequency band 3675 - 3695 MHz at Chinese Peak, Pocatello, Idaho.

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.<sup>3</sup> Therefore, Envision 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

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<sup>1</sup> 47 CFR § 1.89.

<sup>2</sup> 47 CFR § 1.89(a).

<sup>3</sup> 47 U.S.C. § 308(b); 47 CFR § 1.89.

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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.<sup>4</sup>

4. In accordance with section 1.16 of the Commission's rules, we direct Envision to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Envision with personal knowledge of the representations provided in Envision'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.<sup>5</sup> 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.<sup>6</sup>

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 Envision Networks LLC at its address of record.

7. The Privacy Act of 1974<sup>7</sup> 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

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<sup>4</sup> 47 CFR § 1.89(c).

<sup>5</sup> 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.

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

<sup>7</sup> 5 U.S.C. § 552a(e)(3).