
Federal Communications Commission

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

In the Matter of	)	
	)	
Educational Media Foundation	)	File No.: EB-FIELDWR-25-00039041
Licensee of Radio Station K264AL	)	Facility ID: 144179
	)	FRN: 0004121000
Merced, California	)	
	)	
	)	
	)	

NOTICE OF VIOLATION

Released: November 19, 2025

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 Educational Media Foundation, licensee of FM translator station K264AL (Station) in Merced, California. 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 June 27, 2025, an agent of the Enforcement Bureau's San Francisco Office monitored the Station, located at 85 E. 13th Street, Merced, CA, 95341, and observed the following violation:

- a. 47 CFR § 73.317 (d): "Any emission appearing on a frequency removed from the carrier by more than 600 kHz must be attenuated by at least $43 + 10 \log_{10}(\text{Power, in watts})$ dB below the level of the unmodulated carrier, or 80 dB, whichever is the lesser attenuation." The Station's carrier frequency and authorized power are 100.7 MHz and 120 watts, respectively. Based on the Station's authorized power of 120 watts, emissions greater than 600 kHz away from the carrier must be attenuated by at least 63.8 dB. At the time of monitoring, the agent determined that spurious emissions on 122.7 MHz emanating from the Station's transmitter were more than 600 kHz removed from the carrier and were not attenuated at least 63.8 dB below the unmodulated carrier level.

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, Educational Media Foundation 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

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

³ 47 U.S.C. § 308(b); 47 CFR § 1.89.

Federal Communications Commission

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 Educational Media Foundation to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Educational Media Foundation with personal knowledge of the representations provided in Educational Media Foundation'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 Educational Media Foundation'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
Tel: (562) 860-7474
E-Mail: field@fcc.gov

6. This Notice shall be sent to Educational Media Foundation at its address of record, and to Educational Media Foundation's counsel, Wilkinson Barker Knauer LLP, 1800 M Street, N.W., Suite 800N, Washington, DC, 20036, attn: Mary N. O'Connor, Esq.

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

⁴ 47 CFR § 1.89(c).

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).