

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

In the Matter of)	
)	
Vazquez Broadcasting Corporation)	File No.: EB-FIELDNER-24-00037648
Licensee of AM Station WSDS)	
Owner of Antenna Structures 1004883, 1004884,)	Facility ID: 35335
1004885, 1004886)	
)	
Salem Township, Michigan)	FRN: 0022811780
)	

NOTICE OF VIOLATION

Released: January 12, 2026

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 (FCC or Commission) rules¹ to Vazquez Broadcasting Corporation (Vazquez Broadcasting or Company), licensee of AM radio station WSDS (Station) and a licensee authorized on antenna structure numbers 1004883, 1004884, 1004885, and 1004886 (Antenna Structures) in Ypsilanti, Michigan. Pursuant to section 1.89(a) of the Commission's rules, issuance of this Notice does not preclude the Enforcement Bureau (EB) from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violations noted herein.²

2. On February 24, 2025, February 27, 2025, and September 23, 2025, Agents from the FCC EB's Columbia and Chicago offices inspected the Station and the Antenna Structures located in Ypsilanti, Michigan, and observed the following violations:

- a. 47 CFR § 73.49: "Antenna towers having radio frequency potential at the base (series fed, folded unipole, and insulated base antennas) must be enclosed within effective locked fences or other enclosures..." At the time of inspection, the Agent observed that the Station was in operation, thus the fences surrounding the Antenna Structures were required to be locked. The Agent found that the gates to the fences surrounding each Antenna Structure were unlocked. Furthermore, a portion of the metal chain link fence around Antenna Structure 1004844 had fallen down, leaving its base unenclosed.
- b. 47 CFR § 17.6 "[I]f a licensee or permittee authorized on an antenna structure is aware that the structure is not being maintained in accordance with the specifications set forth on the Antenna Structure Registration (FCC Form 854R) or the requirements of this part, or otherwise has reason to question whether the antenna structure owner is carrying out its responsibility under this part, the licensee or permittee must take immediate steps to ensure that the antenna structure is brought into compliance and remains in compliance." The FCC's

¹ 47 CFR § 1.89.

² 47 CFR § 1.89(a).

Antenna Structure Registration (ASR) database currently indicates that the Antenna Structures require painting and red obstruction lighting during the nighttime that includes a top-level beacon and two mid-level steady burning side markers in accordance with FCC Paragraphs 1, 3, 11, and 21. On February 27, 2025, an agent observed that the paint on the Antenna Structures was severely faded and flaking exposing bare metal and did not meet the standards of the FAA's In-Service Aviation Orange Tolerance Chart. The agent also observed that the mid-level obstruction lighting on all of the Antenna Structures was extinguished. In addition, the top-level beacons on Antenna Structures 1004884 and 1004885 were extinguished. On March 10, 2025 an agent made the Company aware of the lighting outages and the faded and flaking paint. On September 23, 2025 an agent found that while the top beacon on ASR 1044886 was lit, none of the other extinguished lighting on the Antenna Structures had been brought into compliance. Moreover, none of the faded or flaking paint on the Antenna Structures had been brought into compliance.

- c. 47 CFR § 73.1820(a)(1)(iii): “Entries must be made in the station log The following information must be entered (iii) An entry of each test and activation of the Emergency Alert System (EAS) pursuant to the requirement of part 11 of this chapter and the EAS Operating Handbook. Stations may keep EAS data in a special EAS log which shall be maintained at a convenient location; however, this log is considered a part of the station log.” At the time of the inspection, there was no station log available for inspection that included entries of the EAS activations and tests, including the required weekly or monthly EAS tests. Furthermore, the entries stored in the memory of the Company’s EAS encoder/decoder, a Sage Digital ENDEC, were dated 1997.
- d. 47 CFR § 73.1870(c)(3): “The chief operator is responsible for . . . review of the station records at least once each week to determine if required entries are being made correctly. Additionally, verification must be made that the station has been operated as required by the rules or the station authorization. Upon completion of the review, the chief operator or his designee must date and sign the log, initiate any corrective action which may be necessary, and advise the station licensee of any condition which is repetitive.”³ At the time of the inspection, Vasquez Broadcasting could not produce a signed and dated log showing that the Chief Operator or his designee had verified at least once a week that the required entries were being made correctly, and had verified that the Station had been operated as required by the rules or station authorization.
- e. 47 CFR § 73.1560(a)(1): “Except for AM stations using modulation dependent carrier level (MDCL) control technology, or as provided for in paragraph (d) of this section, the antenna input power of an AM station, as determined by the procedures specified in § 73.51 must be maintained as near as practicable to the authorized antenna input power and may not be less than 90 percent nor greater than 105 percent of the authorized power.” At the time of inspection, the Agent observed that the Station was not using MDCL control technology and was operating with 200 Watts of power during the daytime, which is 24.8% of the authorized daytime power of 808 Watts. The Agent also asked Station personnel to temporarily change the Station operation to nighttime mode and observed that

³ Any log required to be kept by station licensees shall be retained by them for a period of two years and must be made available by all broadcast stations upon request by representatives of the FCC. 47 CFR §§ 73.1840, 73.1225.

the Station was operating with 1600 Watts of power during the nighttime, which is 39% of the authorized nighttime power of 4100 Watts. The Station does not possess a Special Temporary Authority from the Commission authorizing reduced power operations.

- f. 47 CFR § 73.1225(c): “The following records shall be made available by all broadcast stations upon request by representatives of the FCC. (1) Equipment performance measurements required by §§ 73.1590 and 73.1690.” At the time of inspection, Vazquez Broadcasting was unable to provide a copy of its latest equipment performance measurements.
- g. 47 CFR § 73.61: “AM directional antenna field strength measurements. (a) Each AM station using a directional antenna with monitoring point locations specified in the instrument of authorization must make field strength measurements as often as necessary to ensure that the field at each of those points does not exceed the value specified in the station authorization. Additionally, stations not having an approved sampling system must make the measurements once each calendar quarter at intervals not exceeding 120 days. . . . The results of the measurements are to be entered into the station log pursuant to the provisions of § 73.1820.” Vazquez Broadcasting was unable to provide any station logs indicating the required field strength measurements were performed.

3. As the nation’s emergency warning system, the Emergency Alert System is critical to public safety, and we recognize the vital role that broadcasters play in ensuring its success. The Commission takes seriously any violations of its rules implementing the EAS and expects full compliance from its regulatees. We also must investigate violations of other rules that apply to broadcast licensees.

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.⁴ Therefore, Vazquez Broadcasting 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 actions taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective actions. The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁵

5. In accordance with section 1.16 of the Commission’s rules, we direct Vazquez Broadcasting to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Vazquez Broadcasting with personal knowledge of the representations provided in Vazquez Broadcasting’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.⁶ To knowingly and willfully

⁴ 47 U.S.C. § 308(b); 47 CFR § 1.89.

⁵ 47 CFR § 1.89(c).

⁶ 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 (continued....)

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.⁷

6. 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
EB Columbia Regional Office
9050 Junction Drive
Annapolis Junction, Maryland 20701

7. This Notice shall be sent to Vazquez Broadcasting Corporation at its address of record and to Vazquez Broadcasting's counsel, John C. Trent, Esq. at Putbrese, Hunsaker and Trent, PC., 422 Forest View Road, Edinburg, VA 22824.

8. The Privacy Act of 1974⁸ 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

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.

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

⁸ 5 U.S.C. § 552a(e)(3).