

Federal Communications Commission

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

In the Matter of)	
)	
Town Communications)	File No. EB-11-PA-0224
Licensee of Radio Station WPPV438)	
Philadelphia, Pennsylvania)	NOV No. V201232400031
)	
)	

NOTICE OF VIOLATION

Released: March 12, 2012

By the Acting District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules,¹ to Town Communications, licensee of Land Mobile Radio Station WPPV438 in Philadelphia, Pennsylvania.

2. On October 12, 2011, agents of the Enforcement Bureau's Philadelphia Office inspected the radio transmitting equipment at the Bryn Mawr Hospital, 130 S Bryn Mawr Avenue, Bryn Mawr, Pennsylvania and observed the following violation:

47 C.F.R. § 90.427(b): "Except for frequencies used in accordance with § 90.417, no person shall program into a transmitter frequencies for which the licensee using the transmitter is not authorized." At the time of the inspection, agents found that Bryn Mawr Hospital was operating on unauthorized frequencies and later determined that Town Communications had programmed radio transmitting equipment at Bryn Mawr Hospital with the frequencies 469.4872 MHz, 469.6626 MHz, 465.9127 MHz, and 456.7375 MHz for which the Bryn Mawr Hospital was not authorized under any of their station licenses.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's rules, Town Communications must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the Town Communications. All replies

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 403.

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and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to by Certified Mail/Return Receipt Requested and regular mail to Town Communications at its address of record.

5. The Privacy Act of 1974³ 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. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

David Dombrowski
Acting District Director
Philadelphia District Office
Northeast Region
Enforcement Bureau

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*