

Federal Communications Commission

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

In the Matter of)	
)	
Harris Corporation)	File No.EB-FIELDSCR-12-00002212
)	
)	NOV No. V20123250016
)	
Irving, Texas)	
)	

NOTICE OF VIOLATION

Released: May 17, 2012

By the District Director, Dallas Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s Rules,¹ to Harris Corporation² in Irving, Texas.
2. On May 1, 2012, agents of the Enforcement Bureau’s Dallas Office inspected radio station KNGK465 located in Dallas, Texas, and observed the following violation(s):
 - a. 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 Dallas Area Rapid Transit Authority (DART) was operating on unauthorized frequencies. The agents later determined that Harris Corporation had programmed radio transmitting equipment for DART with an unauthorized frequency, 858.3875 MHz.
3. Pursuant to Section 403 of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission’s Rules, Harris Corporation 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, to 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 Harris Corporation. All replies 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:

¹ 47 C.F.R. § 1.89.

² Harris Corporation is the licensee for at least one radio station in Melbourne, Florida.

³ 47 U.S.C. § 403.

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Federal Communications Commission
Dallas Office
9330 LBJ Freeway, Suite 1170
Dallas, Texas, 75243

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

5. The Privacy Act of 1974⁴ 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.⁵

FEDERAL COMMUNICATIONS COMMISSION

James D. Wells
District Director
Dallas District Office
South Central Region
Enforcement Bureau

⁴ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁵ 18 U.S.C. § 1001 *et seq.*