

Federal Communications Commission

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

In the Matter of)	
)	
Treose Heights Rescue Squad)	File No.: EB-FIELDNER-12-00002446
)	
Licensee of Radio Station WQKF612)	
)	
Southampton, Pennsylvania)	NOV No.: V201232400042
)	

NOTICE OF VIOLATION

Released: June 15, 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 rules¹ to Treose Heights Rescue Squad (Treose), licensee of Private Land Mobile Station WQKF612 in Southampton, Pennsylvania.

2. On May 17, 2012, in response to a complaint of harmful interference, an agent of the Commission’s Philadelphia Office monitored Private Land Mobile Station WQKF612 on the frequency 152.2925 MHz in Southampton, Pennsylvania and observed the following violations:
 - a. 47 C.F.R. § 90.425(a): “Except as provided for in paragraphs (d) and (e) of this section, each station or system shall be identified by the transmission of the assigned call sign during each transmission or exchange of transmissions, or once each 15 minutes (30 minutes in the Public Safety Pool) during periods of continuous operation. The call sign shall be transmitted by voice in the English language or by International Morse Code in accordance with paragraph (b) of this section. If the station is employing either analog or digital voice scrambling, or non-voice emission, transmission of the required identification shall be in the unscrambled mode using A3E, F3E or G3E emission, or International Morse, with all encoding disabled.” On May 17, 2012, the agent monitored the frequency 152.2925 MHz between 11:42 a.m. and 12:30 p.m. and observed that Station WQKF612 did not transmit the assigned call sign.

¹47 C.F.R. § 1.89.

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- b. 47 C.F.R. § 90.403(e): “Licensees shall take reasonable precautions to avoid causing harmful interference. This includes monitoring the transmitting frequency for communications in progress and such other measures as may be necessary to minimize the potential for causing interference.” At the time of the investigation, the agent observed that Trevose failed to monitor for communications in progress prior to transmitting on the frequency 152.2925 MHz, which created the potential for interference to other co-channel licensees.

- c. 47 C.F.R. § 1.903(a): “Stations in the Wireless Radio Services must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part, except as specified in paragraph (b) of this section.” At the time of inspection, Trevose was transmitting narrowband digital emissions on the frequency 152.2925 MHz using a Motorola Mototrbo transmitter.² The license for station WQKF612 only authorizes FM analog telephony emissions (F3E) on the frequency 152.2925 MHz.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's rules, Trevose must submit a written statement concerning this matter within twenty (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 Trevose. 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:

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 Trevose Heights Rescue Squad at its address of record.

² According to the manufacturer's specification sheet, the Mototrbo Repeater utilizes TDMA technology and 4FSK modulation to transmit data and voice communications with the emission designator 7K60FXD (data only) and 7K60FXE (voice and data).

³ 47 U.S.C. § 403.

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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

Kevin Doyle
Acting District Director
Philadelphia District Office
Northeast Region
Enforcement Bureau

⁴ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁵ 18 U.S.C. § 1001 *et seq.*