

Federal Communications Commission

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

In the Matter of)	
)	
Triangle Services Inc.)	File No.: EB-FIELDNER-12-00003091
)	
Licensee of Radio Station WQJQ598)	
)	
Jamaica, New York)	NOV No.: V201232380020
)	

NOTICE OF VIOLATION

Released: July 5, 2012

By the Acting District Director, New York 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 Triangle Services Inc. (Triangle), licensee of Private Land Mobile Station WQJQ598 in Jamaica, New York.

2. On June 12, 2012, in response to a complaint of harmful interference, an agent of the Commission’s New York Office monitored Private Land Mobile Station WQJQ598 on the frequency 461.5 MHz in Queens, New York and observed the following violations:

- a. 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 Triangle failed to monitor for communications in progress prior to transmitting on the frequency 461.5 MHz, which created the potential for interference to other co-channel licensees.
- b. 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, Triangle was transmitting data on the frequency 461.5 MHz using a Motorola MOTOTRBO transmitter. The license for

¹47 C.F.R. § 1.89.

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station WQJQ598 only authorizes voice (FXE) on the frequency
461.5 MHz.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's rules, Triangle 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 Triangle. 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
New York Office
201 Varick Street
Suite 1151
New York, NY 10014

4. This Notice shall be sent by Certified Mail/Return Receipt Requested and regular mail to Triangle Services Inc. 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

Luis Salazar
Acting District Director
New York District Office
Northeast Region
Enforcement Bureau

² 47 U.S.C. § 403.

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*