

Federal Communications Commission

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

In the Matter of)	
)	
Skydiving School)	File No. EB-FIELDWR-12-00003482
d/b/a Skydive Hawaii)	
Licensee of Aeronautical Fixed Station WPUN985)	
Waialua, HI)	NOV No. V201232860017
)	

NOTICE OF VIOLATION

August 9, 2012

By the Resident Agent, Honolulu Resident Agent Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's Rules,¹ to Skydiving School d/b/a Skydive Hawaii, licensee of aeronautical fixed radio station WPUN985 in Waialua, Hawaii.

2. On July 26, 2012, an agent of the Enforcement Bureau's Honolulu Resident Agent Office inspected WPUN985, located at Dillingham Airfield, and observed the following violation:

- a. 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...." Skydiving School is operating a fixed aeronautical station on the frequency 123.4 MHz. Their station license, WPUN985, authorizes operation only on 122.900 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, Skydiving School 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 Skydiving School. 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 47 U.S.C. § 308(b).

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Honolulu Resident Agent Office
P.O. Box 971030
Waipahu, Hawaii 96797-1030

4. This Notice shall be sent to Skydiving School 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

John R. Raymond
Resident Agent
Honolulu Resident Agent Office
Western Region
Enforcement Bureau

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*