



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
WESTERN REGION**

Anchorage Resident Agent Office

PO Box 231949

Anchorage, AK 99523-1923

(907) 271-6342

August 29, 2012

David and Kathleen Turner
Anchorage, Alaska 99501

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDWR-12-00003703

Document Number: W201232780001

The Anchorage Office, noted through monitoring the FM broadcast band in Anchorage, AK, an unlicensed broadcast radio station on 90.7 MHz. On August 6, 2012, an agent from this office confirmed by direction finding techniques that radio signals on frequency 90.7 MHz were emanating from the property at 1401 Nelchina Street, Anchorage, Alaska. Publically available records list you as the property owners and operator of the station. The Commission's records show no authorization issued for operation of a broadcast station at this location on 90.7 MHz in Anchorage, Alaska.

Radio stations must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level that complies with the standards established in Part 15 of the Commission's rules, 47 C.F.R. §§ 15.1 *et seq.* Your operation on frequency 90.7 MHz measured 44,700 microvolt's per meter ($\mu\text{V}/\text{m}$) at 3 meters. This exceeds the allowable unlicensed limit of 250 $\mu\text{V}/\text{m}$ at 3 meters established in Part 15. Thus, this station is operating in violation of 47 U.S.C. § 301.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator of this illegal operation to severe penalties, including, but not limited to, substantial monetary forfeitures, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (See 47 U.S.C. §§ 401, 501, 503 and 510.)

**UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED
IMMEDIATELY.**

You have ten (10) days from the date of this notice to respond with any evidence that you have authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

David J. Charlton
Resident Agent
Anchorage Resident Agent Office
Western Region
Enforcement Bureau

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet," March 2005