

Federal Communications Commission

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

In the Matter of)
)
Gregory Chomko) File No. EB-FIELDNER-12-00004077
)
Newington, CT 06111) NOV No. V201232260006

NOTICE OF VIOLATION

Released: September 11, 2012

By the District Director, Boston 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 Gregory Chomko, owner of a marine vessel called "Cadence," located in Westbrook, Connecticut.
2. On September 2, 2012, in response to an interference complaint, an agent of the Enforcement Bureau's Boston Office conducted an investigation and observed the following violation:

47 C.F.R. § 80.89 (d): "Stations must not: When using telephony, transmit signals or communications not addressed to a particular station or stations. This provision does not apply to the transmission of distress, alarm, urgency, or safety signals or messages, or to test transmissions." The agent determined that a VHF transmitter installed on "Cadence" was transmitting a continuous unmodulated carrier on VHF Marine Channel 16 (156.8 MHz), the International and Distress Calling Frequency. The transmission was not conducted as a test or for distress or emergency purposes.
3. Pursuant to section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's rules, Gregory Chomko, must submit a written statement concerning this matter within twenty (20) calendar 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 Gregory Chomko. 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:

¹47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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Boston Office
1 Batterymarch Park, Suite 102
Quincy, MA 02169

4. This Notice shall be sent to Gregory Chomko at his 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

Dennis Loria
District Director
Boston Office
Northeast Region
Enforcement Bureau

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*