



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
WESTERN REGION**

Portland Resident Agent Office
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November 5, 2012

Michael D. Roscetti
Auburn, Washington 98001

NOTICE OF UNLICENSED OPERATION

Case Numbers: EB-FIELDWR-12-00004901
Document Number: W201332920002

The Portland Office received information that an unlicensed broadcast radio station on 87.9 MHz was allegedly operating in Auburn, Washington. On October 17, 2012, FCC agents confirmed by direction finding techniques that radio signals on frequency 87.9 MHz were emanating from a residence in Auburn, Washington 98001. The Commission's records show that no license was issued for operation of a broadcast station at this location on 87.9 MHz in Auburn, Washington.

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 fundamental emissions on frequency 87.9 MHz from an intentional radiator was not authorized in the band 76-88 MHz. This was a violation of Section 15.209(a) of the Commission's Rules. 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.

Binh Nguyen
Resident Agent
Portland Resident Agent Office
Western Region
Enforcement Bureau

Attachments:

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