

Federal Communications Commission

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

In the Matter of)	
)	
Gary R. Dent)	File No. EB-FIELDWR-12-00001144
)	
Licensee of Amateur Radio Station AF6HP)	
Riverside, California)	NOV No. V201232900017

NOTICE OF VIOLATION

Released: March 30, 2012

By the District Director, Los Angeles, 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 Gary R. Dent, licensee of Amateur Radio Station AF6HP in Riverside, California. This Notice may be combined with a further action, if further action is warranted.²

2. On February 29, 2012, March 2, 2012, and March 22 of 2012, in response to an interference complaint from Federal Aviation Administration (FAA), an agent of the Enforcement Bureau's Los Angeles Office used direction finding and other investigative techniques to identify transmissions from Station AF6HP, operating in Claremont, California, in the 23 cm band. The agent observed the following violations:

- a. 47 C.F.R. § 97.303(b): "Amateur stations transmitting in the 70 cm band, the 33 cm band, the 23 cm band, the 9 cm band, the 5 cm band, the 3 cm band, or the 24.05–24.25 GHz segment must not cause harmful interference to, and must accept interference from, stations authorized by the United States Government in the radiolocation service." On February 29, 2012, and March 22, 2012, the agent observed that Station AF6HP transmissions in the 23 cm band caused harmful interference to FAA radiolocation operations.
- b. 47 C.F.R. § 97.113(b): "An amateur station shall not engage in any form of broadcasting, nor may an amateur station transmit one-way communications except as specifically provided in these rules; nor shall an amateur station engage in any activity related to program production or news gathering for broadcasting purposes, except that communications directly related to the immediate safety of human life or the protection of property may be provided

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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by amateur stations to broadcasters for dissemination to the public where no other means of communication is reasonably available before or at the time of the event.” On March 2, 2012, and March 22, 2012, Gary R. Dent admitted to the agent that Dent operated Station AF6HP for TV broadcasting in the 23 cm band.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission’s Rules, Gary R. Dent 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 Gary R. Dent. 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
Los Angeles District Office
18000 Studebaker Road, Suite 660
Cerritos, CA 90703

4. This Notice shall be sent to Gary R. Dent at his address of record.

5. The Privacy Act of 1974⁴ 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.⁵

FEDERAL COMMUNICATIONS COMMISSION

Nader Haghghat
District Director
Los Angeles Office
Western Region
Enforcement Bureau

³ 47 U.S.C. § 308(b).

⁴ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁵ 18 U.S.C. § 1001 *et seq.*