



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
WESTERN REGION**

Los Angeles Office
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March 28, 2012

EPI Limited Partnership
Fullerton, CA

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDWR-12-00001143
Document Number: W201232900006

The Los Angeles Office received information that an unlicensed broadcast radio station on 1680 kHz was allegedly operating in Fullerton, California. On January 30, 2012, agents from this office confirmed by direction finding techniques that radio signals on frequency 1680 kHz were emanating from the property at 1370 Brea Blvd., Suite 205, Fullerton, CA 92835. On February 29, 2012, the agents re-visited the above address and confirmed that the signals were still emanating from that location. Public records list you as the owner of the property. The Commission's records show that no license was issued for operation of a broadcast station at this location on 1680 kHz in Fullerton, CA.

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.* The field strength of the signal on frequency 1680 kHz was measured at 17,900 microvolts per meter ($\mu\text{V}/\text{m}$) at 60 meters, which exceeded the maximum permitted level of 14.3 $\mu\text{V}/\text{m}$ (24000/1680) at 30 meters established in Section 15.209(a) of the Rules (see 47 C.F.R. § 15.209(a)).

Another exception for some transmitters operating in the 510 kHz to 1705 kHz band is found in 47 C.F.R. § 15.219. Specifically, Section 15.219(b) of the Rules states "the total length of the transmission line, antenna and ground lead (if used) shall not exceed 3 meters" (see 47 C.F.R. § 15.219(b)). During their investigation on February 29, 2012, the agents determined that the ground lead was connected to a cable that ran down the length of the antenna tower, thereby, increasing the total length of the antenna, transmission line, and ground lead well beyond 3 meters. This installation violated Section 15.219(b) of the Rules. During that inspection, the agents observed that the ground lead at a point close to the street level had been cut, leaving the line at its original length, but not physically connected to the ground. This configuration will also

violate Section 15.219(b) of the Rules as the total length of the antenna, transmission line, and the lead, attached to the transmitter, exceeded 3 meters.

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 to this notice, and to supplement your response to the on-scene notice issued to you on February 29, 2012, 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.

Nader Haghghat
District Director
Los Angeles Office
Western Region
Enforcement Bureau

Attachments:

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