



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
REGION 2**

Miami Office
P.O. Box 266468
Weston, FL 33326

April 21, 2016

Joseph Mercilise & Emile Milford
Boynton Beach, Florida

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDSCR-16-00020956
Document Number: W201632600001

On February 26 and March 31, 2016, agents from this office confirmed by direction finding techniques that radio signals on frequency 91.5 MHz were emanating from a residence in Boynton Beach, Florida. Public records list you as the owners of the property. The Commission's records show that no license was issued for operation of a broadcast station at this location on 91.5 MHz or any other FM frequency in Boynton Beach, Florida.

Radio stations in many frequency bands, including 91.5 MHz, 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.* On February 26, 2016, the field strength of the signal on frequency 91.5 MHz exceeded the maximum permitted level of 250 microvolts per meter ($\mu\text{V}/\text{m}$) at 3 meters for non-licensed devices. 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 to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*See* 47 U.S.C. §§ 401, 501, 503 and 510.) Be advised that this warning does not preclude this office from pursuing additional sanctions based upon our investigation of this incident.

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.

Ronald Ramage
Regional Director

Attachments:

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