

Federal Communications Commission

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

In the Matter of)	
)	
Iglesia Alfa Y Omega)	File No.: EB-FIELDSCR-16-00021093
Licensee of Station KYEB-LP)	
)	NOV No.: V201632500004
)	
Garland, Texas)	Facility ID: 195710

NOTICE OF VIOLATION

Released: May 9, 2016

By the Regional Director, Dallas Office, Region 2, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s rules (Rules)¹ to Iglesia Alfa Y Omega, licensee of radio station KYEB-LP in Garland, Texas. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On March 17, 2016, an agent of the Enforcement Bureau’s Dallas Office inspected radio station KYEB-LP located in Garland, Texas, and observed the following violation(s):

- a. 47 C.F.R. § 73.1660(a)(2) : “An LPFM transmitter shall be certified for compliance with the requirements of this part following the procedures described in part 2 of [] this chapter.” At the time of the inspection, the agent observed that KYEB-LP was using a model TEX1000 transmitter. KYEB-LP had failed to certify the TEX1000 transmitter.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, KYEB-LP must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

³ 47 U.S.C. § 308(b).

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of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct KYEB-LP to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of KYEB-LP with personal knowledge of the representations provided in KYEB-LP's response, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. 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
Dallas Office
9330 LBJ Freeway, Suite 1170
Dallas, Texas 75243

6. This Notice shall be sent to KYEB-LP at its address of record.

7. The Privacy Act of 1974⁷ 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.

FEDERAL COMMUNICATIONS COMMISSION

Ronald Ramage
Regional Director
Region 2

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

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