

Federal Communications Commission

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

In the Matter of)	
)	
Temple University Hospital)	File No. EB-04-PA-033
)	
Philadelphia, Pennsylvania)	NOV No. V20043240007
)	
Attention: Gracie Hannah)	

NOTICE OF VIOLATION

Released: March 1, 2004

By the District Director, Philadelphia Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Temple University Hospital ("Temple"), the licensee of station WPCS275.

2. On February 26, 2004, an agent of the Commission's Philadelphia Office inspected station WPCS275 at Temple University Hospital in the Department of Patient Transportation. During the inspection, the FCC agent observed the following violations:

- a. 47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Service must be used and operated only in accordance with the rules applicable to their particular service as set forth in this title and with a valid authorization granted by the Commission under the provisions of this part."

Temple operated a repeater system on the unauthorized frequencies 461.8625 MHz and 466.8625 MHz. The license for station WPCS275 only authorized operation on the frequencies 466.9125 MHz and 466.9625 MHz.

Furthermore, Temple operated a repeater station (FB2) on the frequency 461.8625 MHz without authorization. The license for station WPCS275 only authorizes the operation of mobile units (MO) on the two frequencies.

- b. 47 C.F.R. § 90.425(a): "Each station or system shall be identified by the transmission of the assigned call sign during each transmission or exchange of transmissions, or once each 15 minutes during periods of continuous operation. The call sign shall be transmitted in voice in the English language

¹ 47 C.F.R. § 1.89.

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or by International Morse Code in accordance with paragraph (b) of this section.” Temple failed to identify its radio station by the transmission of the call sign WPCS275.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Temple University Hospital 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 actions taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective actions. The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. 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
Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to Temple University Hospital, Attn: Gradie Hannah, Department of Patient Transportation, 3401 North Broad Street, Philadelphia, Pennsylvania 19140.

5. The Privacy Act of 1974³ 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.⁴

FEDERAL COMMUNICATIONS COMMISSION

John E. Rahtes
District Director
Philadelphia Office

² 47 U.S.C. § 308(b).

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*