

**Federal Communications Commission**

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

Certified Mail #7001 0320 0002 9837 2352  
Return Receipt Requested

In the Matter of	)	
	)	
Dauphin Aero	)	File No. EB-04-HL-027
Licensee of Aircraft Radio Station N72HB	)	
100 Kaulele Pl.	)	NOV No. V20043286007
Honolulu, Hawaii 96819	)	
	)	
	)	

**NOTICE OF VIOLATION**

**Released: May 19, 2004**

By the Honolulu Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to Dauphin Aero, licensee of aircraft radio station N72HB.

2. On May 18, 2004, an agent of the Commission's Honolulu Office inspected aircraft radio station N72HB at the Dauphin Aero hanger, on the south ramp of Honolulu International Airport, and observed the following violation:

47 C.F.R. § 87.193: "Transmissions by emergency locator transmitters (ELTs) are intended to be actuated manually or automatically and operated automatically as part of an aircraft or a survival craft station as a locating aid for survival purposes." The ELT on board the aircraft N72HB was apparently activated while the aircraft was undergoing maintenance.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Dauphin Aero 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 a principal or officer of the licensee. 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:

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 308(b).

**Federal Communications Commission**

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Federal Communications Commission  
Honolulu Office  
P.O. Box 971030  
Waipahu, Hawaii 96797-1030

4. This Notice shall be sent by certified mail, return receipt requested, to Dauphin Aero, 100 Kaulele Pl., Honolulu, Hawaii 96819.

5. The Privacy Act of 1974<sup>3</sup> 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.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

John R. Raymond  
Resident Agent  
Honolulu Office

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<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*