

Federal Communications Commission

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

Certified Mail #7001 0320 0002 9837 2390
Return Receipt Requested

In the Matter of)	
)	
Lady Alice Co Inc)	File No. EB-04-HL-031
Licensee of Ship Radio Station)	
LADY ALICE, WTC4765)	
Documentation Number 594346)	
POB 546, 10 W 7 th St)	NOV No. V20043286009
Barnegat Light, NJ 08006)	
)	
)	

NOTICE OF VIOLATION

Released: June 24, 2004

By the Honolulu Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Lady Alice Co Inc, licensee of ship radio station LADY ALICE, WTC4765.

2. On June 23, 2004, agents of the Commission's Honolulu Office inspected ship radio station LADY ALICE, documentation number 594346, moored at Kewalo Basin, Honolulu, Hawaii, and observed the following violation:

47 C.F.R. § 80.89(a): "Stations must not engage in superfluous radio communications." Transmissions by emergency position indicating radiobeacons (EPIRBs) are intended to be actuated manually or automatically and operated automatically as part of a ship or a survival craft station as a locating aid for survival purposes. The EPIRB on board the vessel LADY ALICE was apparently activated by improper storage or handling while the vessel was undergoing maintenance.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Lady Alice Co Inc, 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

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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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:

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 Lady Alice Co Inc, POB 546, 10 W 7th St, Barnegat Light, NJ 08006.

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 R. Raymond
Resident Agent
Honolulu Office

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*