

Federal Communications Commission

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

In the Matter of)	
)	
Inspirational Family Radio, Inc.)	File No. EB-FIELDWR-12-00003864
Licensee of Station WPOQ504)	
)	
Boise, Idaho)	NOV No. V201232920016

NOTICE OF VIOLATION

Released: September 20, 2012

By the Resident Agent, Portland Resident Agent Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's Rules,¹ to Inspirational Family Radio, Inc. (Inspirational Family Radio), licensee of aural broadcast STL station WPOQ504, operating on the frequency 949.75 MHz associated with broadcast station KSPD in Boise, Idaho. Pursuant to Section 1.89(a) of the Commission's Rules, issuance of this NOV 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 August 16, 2012, an agent of the Enforcement Bureau's Portland Office inspected the aural broadcast STL station WPOQ504 located at 1440 South Weideman Avenue, Boise, Idaho, and observed the following violation:

- a. 47 C.F.R. § 1.903(a): "Stations in the Wireless Radio Services 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" The inspecting agent observed that the referenced STL station was operating at a new main studio location at 1440 South Weideman Avenue, Boise, Idaho. The STL station license, however, listed the fixed location address as 1477 S. Five Mile Road, Boise, Idaho.

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

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3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Inspirational Family Radio, 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 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 Commission's Rules, we direct Inspirational Family Radio to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Inspirational Family Radio with personal knowledge of the representations provided in Inspirational Family Radio'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
Portland Resident Agent Office
P.O. Box 61469
Vancouver, Washington 98666-1469

6. This Notice shall be sent to Inspirational Family Radio, Inc. at its address of record.

³ 47 U.S.C. § 308(b).

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Commission's 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.

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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

Binh Nguyen

Binh Nguyen
Resident Agent
Portland Resident Agent Office
Western Region
Enforcement Bureau

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

January 8, 2013

BINH NGUYEN
RESIDENT AGENT
PORTLAND RESIDENT AGENT OFFICE
PO BOX 61469
VANCOUVER WA 98666

Mr. Nyguyen

File No. EB-FIELDWR-12-00003864

This letter is a second follow up response to the notice of violation dated, September 13, 2012.

As requested, we have purchased and installed new CAP Compliant equipment for KBXL 94.1 fm, and KSPD am 790. The equipment was installed a few months ago by our engineer, Lee Eichelberger, and we have spent several weeks testing our performance. We are happy to report, we have been operating within the FCC guidelines.

Sincerely,

A handwritten signature in blue ink that reads "Beth A. Schafer". The signature is written in a cursive style with a large initial "B".

Beth Schafer
President