

JUDGE ABRAMS

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Southern District of New York
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14 CV 09888



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANY AND ALL RADIO STATION
TRANSMISSION EQUIPMENT, RADIO
FREQUENCY POWER AMPLIFIERS,
RADIO FREQUENCY TEST
EQUIPMENT AND ANY OTHER
EQUIPMENT ASSOCIATED WITH OR
USED IN CONNECTION WITH THE
RADIO TRANSMISSIONS ON THE
FREQUENCIES OF 94.5 MHZ AND
94.9 MHZ LOCATED IN APARTMENT
32N AT 1370 SAINT NICHOLAS
AVENUE, NEW YORK, NEW YORK
10033, AND PREMISES LOCATED AT
80-84 WEST 181 STREET, BRONX,
NEW YORK 10453,

Defendants-In-Rem.

-----x

FILED UNDER SEAL

No. 14 -

VERIFIED COMPLAINT IN REM

The United States of America, by its attorney, Preet Bharara, United States Attorney for
the Southern District of New York, alleges upon information and belief as follows:

PRELIMINARY STATEMENT

1. Plaintiff brings this action in rem to forfeit and to condemn to the use of the United States of America, pursuant to 47 U.S.C. § 510, any and all radio station transmission equipment, radio frequency power amplifiers, radio frequency test equipment and any other equipment associated with or used in connection with any radio transmissions on the frequency of 94.5 Megahertz (“MHz”) and 94.9 MHz from or in the vicinity of Apartment 32N at 1370 Saint Nicholas Avenue, New York, New York 10033, and the one-story commercial building at 80 West 181 Street, Bronx New York 10453 (hereinafter referred to as the “Defendant Radio Station Equipment”), which are being used in violation of 47 U.S.C. § 301.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345 and 1355 and 47 U.S.C. § 510.

3. Venue in this District is proper under 28 U.S.C. § 1395(b).

4. The Defendant Radio Station Equipment is located within the jurisdiction of this Court.

STATUTORY BACKGROUND

5. The Federal Communications Commission (the “FCC”) is an independent federal regulatory agency created by Congress to regulate intrastate, interstate, and foreign radio communications pursuant to the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 151 et seq.

6. Section 301 of the Act, 47 U.S.C. § 301, prohibits the operation of any apparatus for the transmission of energy, communications, or signals by radio from one place in the United

States to another place in the United States, except under and in accordance with the Act and with a license for that purpose granted under the provisions of the Act.

7. The only exception to this licensing requirement is for certain low-power radio transmitters operating at a power level that complies with Section 15.239(b) of Title 47 of the Code of Federal Regulations (the "CFR"). Section 15.239(b) of the CFR limits FM transmitters to a field strength of 250 microvolts at a distance of three meters from the transmitting antenna.

8. Pursuant to 47 U.S.C. § 510, any electronic, electromagnetic, radio frequency, or similar device, or component thereof, used with willful and knowing intent to violate 47 U.S.C. § 301, may be seized and forfeited to the United States of America.

FACTS

9. On December 1, 2011, the New York Office received a complaint concerning possible unlicensed radio stations operating in the New York City area on 94.5 MHz and 94.9 MHz. *See* Ex. 1. That complaint reported that the studio for the unlicensed radio stations is located at 80 W 181st Street in Bronx, NY 10453, but the equipment transmitting the signals for those stations was located in another building in New York City. *See* Ex. 1.

IDENTIFYING THE LOCATION OF THE RADIO SIGNALS

10. On March 5, 2012, FCC agents conducted an investigation and determined that the signals on 94.5 MHz and 94.9 MHz were emanating from either a building at 1370 Saint Nicholas Avenue in New York, New York 10033, or the adjacent building at 260 Audubon Avenue. The FCC database showed no license issued for an FM radio station on 94.5 MHz or 94.9 MHz at either 1370 Saint Nicholas Avenue or 260 Audubon Avenue. That same day, the FCC agents also determined that the signals emanating from that source exceeded the signal

strength allowed under FCC's rules for non-licensed transmitters by 8,811 times the legal limit for 94.5 MHz and 9,130 times the legal limit for 94.9 MHz. *See Ex. 2.*

11. On June 18, 2012, FCC agents positively identified the source of the signals on 94.5 MHz and 94.9 MHz as 1370 Saint Nicholas Avenue. With the assistance of the building manager, the FCC agents were able to observe the antennas associated with the unlicensed stations on 94.5 MHz and 94.9 MHz in blue plastic crates on the balcony of Apartment # 32N at 1370 Saint Nicholas Avenue, and confirmed that the signals on 94.5 MHz and 94.9 MHz were emanating from those antennas. The FCC agents knocked on the door of Apartment # 32N, but no one answered. They took field strength measurements and determined that the signal strength exceeded the legal limit by 8,556 times the legal limit for 94.5 MHz and 8,967 times the legal limit for 94.9 MHz. The FCC then agents posted a Notice of Unlicensed Radio Operation on the door of Apartment # 32N warning that operation of unlicensed broadcast stations violates federal law and outlining the potential penalties for such a violation. *See Ex. 3.*

12. On or about June 19, 2012, FCC agents contacted building management at 1370 Saint Nicholas Avenue, and determined that Raul De La Rosa was the lessee of Apartment # 32N. *See Ex. 4.*

13. On February 2, 2013, FCC agents returned to 1370 Saint Nicholas Avenue and observed that the antennas were still located in blue crates on the balcony of Apartment # 32N, and that both the stations continued operations. The FCC agents determined that signals emanating from the antennas exceeded the legal limit by 8,859 times the legal limit for 94.5 MHz and by 8,911 times the legal limit for 94.9 MHz. *See Ex. 6.*

14. On May 3, 2013, an FCC agent returned to 1370 Saint Nicholas Avenue and found that the stations on 94.5 MHz and 94.9 MHz were still transmitting. The FCC agent again

determined that the signals emanating from the antennas exceed the legal limit, this time by 2,846 times the legal limit for 94.5 MHz and by 5,168 times the legal limits for 94.9 MHz. *See* Ex. 7.

15. That same day, the FCC agent noted that the station operating on 94.5 MHz was identified as RIKA FM and the station operating on 94.9 MHz was identified as ACTIVA FM. The programming heard on the station operating on 94.5 MHz could also be heard on the Internet at www.rikafm.com with an approximate 30-second delay between the programming heard on the Internet and the over-the-air transmissions heard on 94.5 MHz. The programming heard on the station operating on 94.9 MHz could not be heard on the Internet.

16. On December 2, 2013, FCC agents returned to 1370 Saint Nicholas Avenue and found that the stations on 94.5 MHz and 94.9 MHz were still operating. Agents took field strength measurements of both stations, which showed that the signals emanating from the antennas exceeded that allowed for non-licensed transmitters by 7,549 times the legal limit for 94.5 MHz and by 6,605 times the legal limit for 94.9 MHz. *See* Exhibit 16.

CONFIRMING THE EXISTANCE OF THE RADIO STATION STUDIO

17. On February 29, 2012, FCC agents went to 80 W. 181st Street, Bronx, New York, and found that the building was closed. The FCC agents observed a sign on the front door of the building that read, "RIKA MEDIA GROUP, LLC INFO: 347-603-0229 80 W 181 ST BRONX, NY 10453." An employee from the tire shop located next to the RIKA Media Group, LLC office stated that the individuals associated with RIKA Media Group only worked late in the afternoon and at night and that there was a music recording studio inside the building. *See* Ex. 8.

18. On June 26, 2012, FCC agents again went to 80 W. 181st Street and found the building closed. The agents spoke to a mailwoman who reported that, in the past, she delivered

the mail inside the building and observed a music recording studio. More recently, the building had been closed during her working hours and she was told to drop the mail next door at the tire shop. *See* Ex. 9.

19. On February 28, 2013, FCC agents returned to the studio at 80 W. 181st Street. The agents monitored 94.5 MHz and 94.9 MHz and heard transmissions commence at approximately 5:00 p.m. Minutes before the transmissions started, the agents observed about eight people enter the studio. FCC agents observed that the RIKA Media Group had expanded into the space formerly occupied by the tire store. There was then also a store adjacent to RIKA Media Group called “Infinit Sound,” which sold audio equipment, cell phones and electronics. Three phone numbers were listed on the sign posted on the front of the building: 646-377-0958 • 347-372-9365 • 347-603-0229, the last of which was the telephone number listed on the RIKA Media Group sign that agents observed posted on the door on February 29, 2013. *See* Exs. 8, 13.

20. On February 5, 2014, FCC agents returned to 80 W. 181st Street, and observed that Infinit Sound encompasses 80-84 W. 181st Street, and the sign still listed one of the primary contact numbers as 347-603-0229, which is associated with the RIKA Media Group. *See* Ex. 17.

IDENTIFYING THE OWNERS OF THE RADIO STATIONS

21. On November 6, 2012, the FCC issued a subpoena to Vonage Corporation, the service provider for telephone number 718-305-4154, which is the telephone number that an FCC agent observed in a YouTube video that was taken at a studio with signs visible in the video that read, “RIKA FM 718-305-4154 RikaFM.com.” *See* Exs. 10, 11.

22. On December 7, 2012, Vonage Corporation responded to the subpoena and provided documentation indicating that the subscriber for telephone number 718-305-4154 is Ariel Sánchez. *See* Ex. 11.

23. On March 4, 2013, an FCC agent spoke to the original complainant, who identified Ariel Sánchez as the owner of 94.5 MHz (RIKA) and 94.9 MHz (ACTIVA), which have studios in 80 W 181st Street Bronx, NY. *See* Ex. 14.

24. On March 2, 2013, Michael Celenza, President of Apple Community Broadcasting, Inc., the licensee of Translator Station W268AN in Plainview, New York, filed a complaint with the New York Office of the FCC, reporting interference from an unlicensed station broadcasting on 94.9 MHz. Mr. Celenza reported that an unlicensed station on 94.9 MHz was causing interference with Apple's reception of Translator Station W235BB, which transmits on 94.9 MHz, and is the Translator Station from which Apple receives programming "off-air" for rebroadcasting on Translator Station W268AN. *See* Ex. 15.

25. On March 25, 2013, Mr. Celenza again contacted the FCC regarding the interference on 94.9 MHz. Mr. Celenza reported that he had called a telephone number (718-502-9987) broadcast on 94.9 MHz as part of an on-air contest, and spoke with a person, who stated that he "leases this frequency from another guy" and that "all he does is send his audio via an IP address and the transmitter guy receives it and puts it on air from transmitter location." Exhibit 15. Mr. Celenza was then provided with another number to call (347-603-0229). Mr. Celenza reported that when he called the second telephone number, the voicemail recording stated that he had reached Ariel Sánchez. Mr. Celenza reported that he subsequently spoke to Ariel Sánchez twice and each time Mr. Sánchez agreed to shut down the station. *Id.*

26. Despite written warnings, the unlicensed radio stations operating on 94.5 MHz and 94.9 MHz continue to broadcast in violation of 47 U.S.C. § 301.

27. Because the Defendant Radio Station Equipment is being used to operate unlicensed broadcast radio stations, seizure and forfeiture of the Defendant Radio Station Equipment is necessary to prevent continuing violations of the Act.

CLAIM FOR RELIEF

28. Plaintiff repeats and re-alleges each and every allegation set forth in paragraphs 1 through 25.

29. The Defendant Radio Station Equipment was used, and continues to be used, for illegal, unlicensed radio broadcast in violation of 47 U.S.C. § 301.

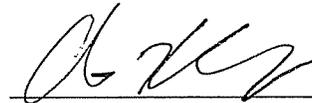
30. By reason of the foregoing, the Defendant Radio Station Equipment was, and continues to be, used and possessed with willful and knowing intent to violate 47 U.S.C. § 301, and is therefore subject to forfeiture to the United States under the provisions of 47 U.S.C. § 510.

WHEREFORE, plaintiff the United States of America requests that a warrant of this Court be issued for the arrest of the Defendant Radio Station Equipment; that the Defendant Radio Station Equipment be forfeited and condemned to the use of the United States; and that the plaintiff be awarded its costs and disbursements in the action and such other and further relief as this Court deems just and proper.

Dated: New York, New York
February 11, 2014

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for the United States of America

By:



ARASTU K. CHAUDHURY
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VERIFICATION

1. I am a Federal Agent holding a position of an Electronics Engineer for the New York Office of the Enforcement Bureau of the Federal Communications Commission (the "FCC").

2. I have read the within verified complaint in rem and know the contents thereof.

3. The matters contained in the within verified complaint in rem are true and accurate to the best of my knowledge, information and belief.

4. The source of my information and the grounds for my belief are my personal knowledge, information provided by other FCC agents, and the official files and records of the FCC and other federal agencies.

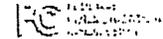
I declare under penalty of perjury that the foregoing is true, to the best of my knowledge, information, and belief.

Dated: New York, New York
February 11, 2014



Luis Román, Electronics Engineer
New York Field Office
Enforcement Bureau
Federal Communications Commission

Exhibit 1
(2 pages)



ENFORCEMENT BUREAU ACTIVITY TRACKING SYSTEM (EBATS)

luis.roman | Staff (Field - NER) | Logout

HOME SEARCH COMPLAINTS INITIATIVES CASES
Summary In Process Assigned Tasks Completed New Complaint

Downloads Help?

ENFORCEMENT BUREAU ACTIVITY TRACKING SYSTEM (EBATS)
User Form
CGB Comments
Administration

FORM 2000F: 11-C00350778-1

User Form

Consumer History

User Complaint Key: 11-C00350778-1
Complaint Source: Web

Submission date: 12/01/2011
Added User: Consumer

CONSUMER'S INFORMATION

First Name: [REDACTED] Last Name: [REDACTED]
 Submission Date: Dec 1, 2011 11:20:18 PM
 Company Name: [REDACTED]
 (Complete only if you are filing this complaint on behalf of a company or an organization.)
 Post Office Box Number:
 Street Address 1: [REDACTED] Street Address 2:
 City: Paterson [REDACTED] Zip Code: [REDACTED]
 Telephone Number (Residential or Business): [REDACTED] Ext:
 E-mail Address: [REDACTED]

FORM 2000F

- Type of company that is the subject of your complaint:
 - Telephone Company Wireless Carrier Internet Access Service Provider
 - TV or Radio Station Cable Company Satellite Provider Other
- Please provide the details of your complaint, including the dates, times and nature of any conduct or activity complained of and identifying information of any companies, institutions or individuals involved:
 - a. Date (mm/dd/yyyy): 12/01/2011
 - b. Time: 06:00 PM
 - c. Name of company or individual: Rika FM
 - d. Details of the activity or conduct that form the basis for your complaint:
 Esa emisora transmite ilegal, la pronden desde la 5 de la tarde y esta en el 80 w de la 181 St. en el Bronx. Si me llaman les puedo decir como transmiten y puedo darles el nombre del dueño, Además en ese mismo edificio transmiten dos estaciones mas, Radio Activa 94.9 FM, Rika FM 04.6 y la Mexicanísima 106.1. Las emisoras trabajan usando los IP. O sea que los transmisores están en otro edificio y la conectan a través de IP. Llámeme para darle otros datos. [REDACTED]

Translation by Gloria Tijerina Verduzco:

This radio station transmits illegally. They go on air starting at 5:00 PM. They are located at 80 W 181 Street, Bronx NY. If you call me I can explain how they transmit and I can provide the name of the owner.

Also in the same building there are two more stations transmitting, Radio Activa FM 94.9, Rika FM 94.5 and La Mexicanissima FM 106.1.

These radio stations transmit by using IP, that is, the transmitters are in another building and are connected by the IP. Please call me and I will provide more data after verifying that it's you.



Exhibit 2
(7 pages)

notes 030512.txt

03/05/12 - MDDF7

Agent: Luis Salazar & Luis Roman

Pirate Investigation: 94.5 MHz,
94.9 MHz

Location of TX: New York, NY

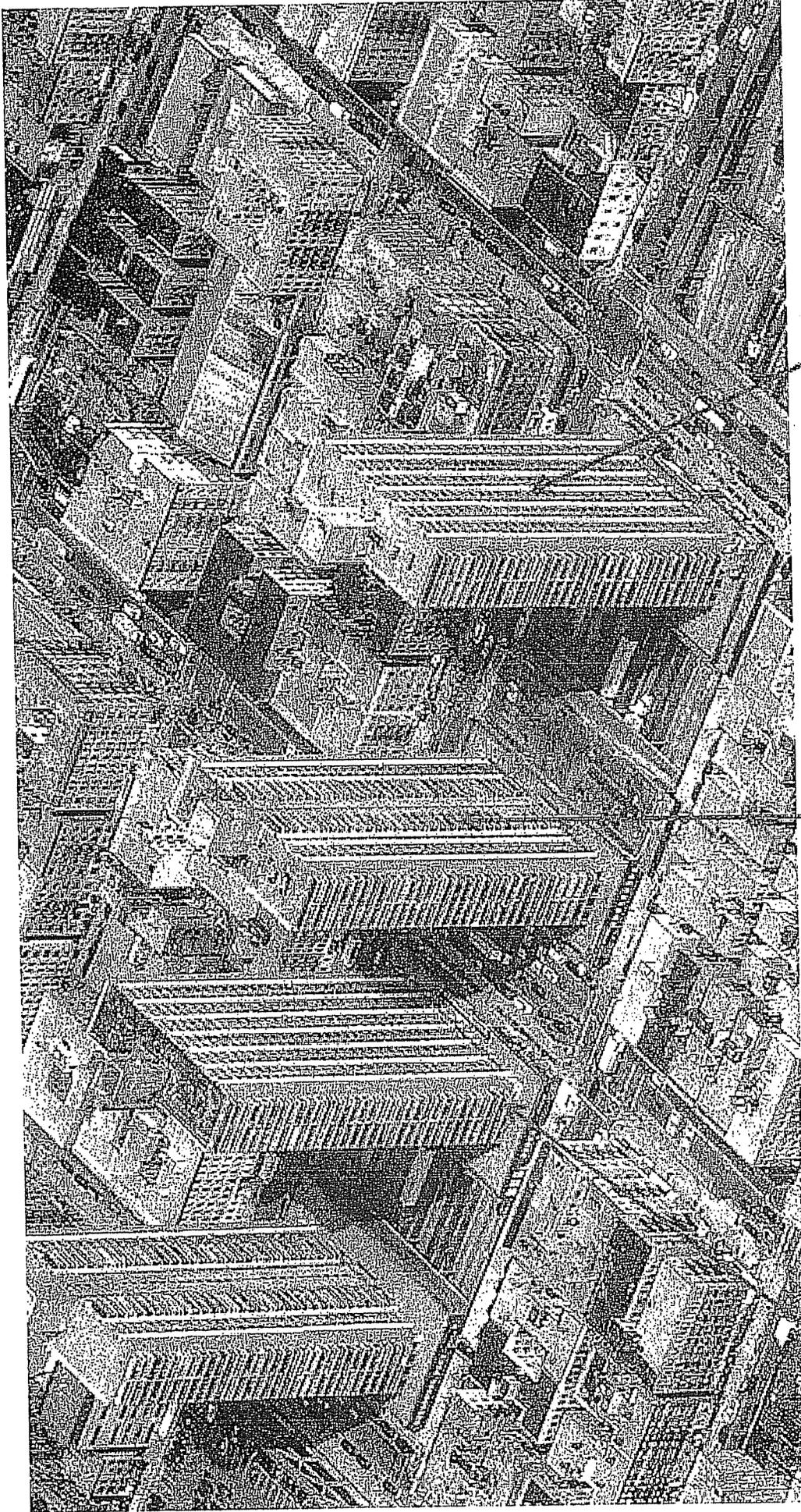
Agents LS and LR monitored, DFed and measured the stations transmitting out of the building at 260 Audubon Avenue (or building next to it). Since the DFing was done at the hours of operation at night, the investigation will follow at a later day to try to locate the antennas of the three pirate stations transmitting out of this location: 94.5 MHz, 94.9 MHz and 95.3 MHz. The station on 106.1 MHz was not operating.

Measurements for 94.5 MHz (dBuV):
72.6, 74.1, 73.6, 69.6, 71.2

Measurements for 94.9 MHz (dBuV):
73.7, 73.0, 74.7, 68.5, 72.3

Location: intersection of Audubon Avenue and W. 172nd Street.

The George Units, LLC



Management Office
1365 Saint Nicholas Avenue
2nd Floor
New York, NY 10033

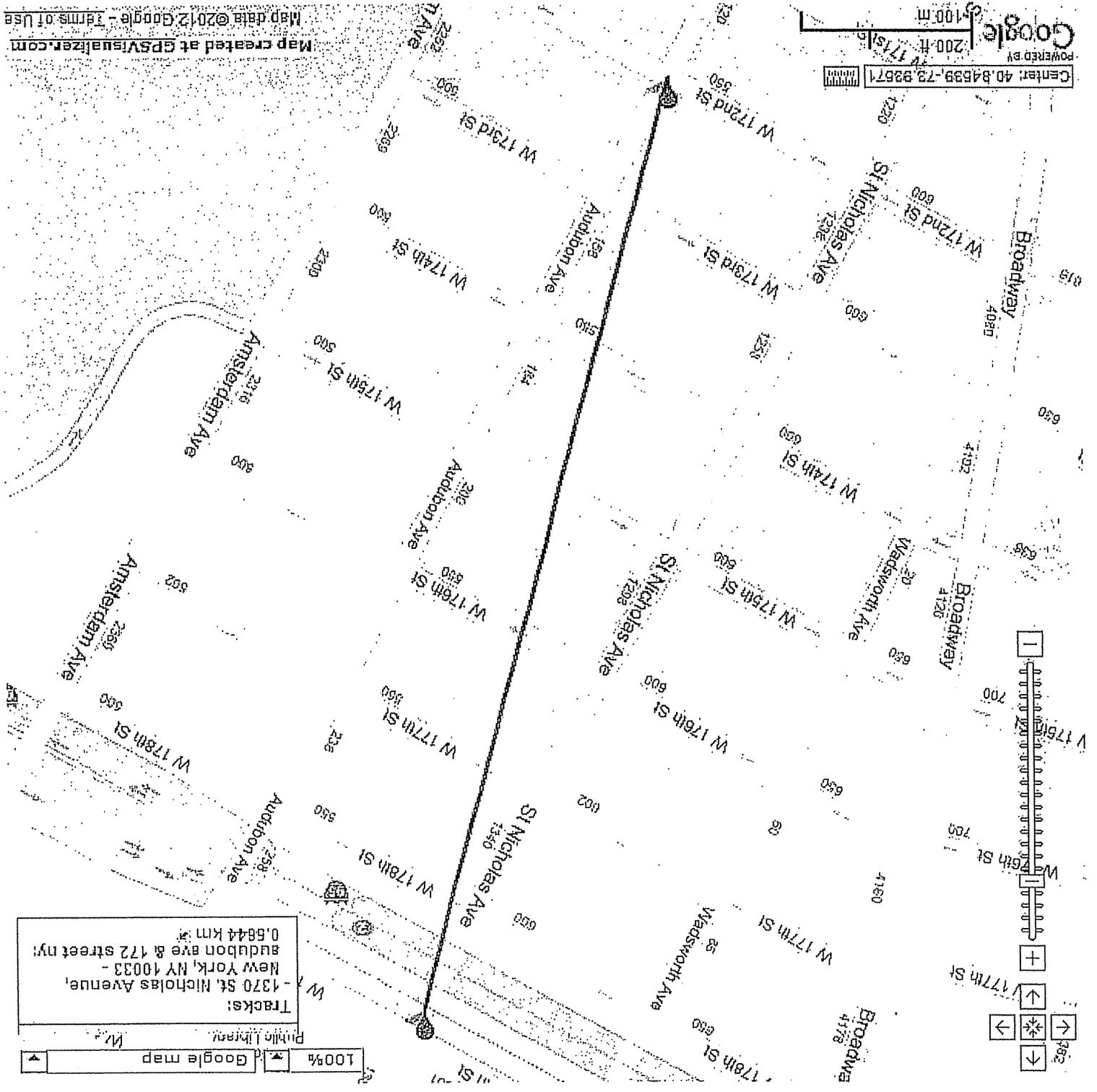
1370 Saint Nicholas Avenue
New York, NY 10033

260 Audubon Avenue
New York, NY 10033

Possible locations of the transmitters

Map created at GPSVisualizer.com
Map date ©2012 Google - Terms of Use

Center: 40.84589,-73.93571
Powered by Google
200 ft 100 m



Tracks:
- 1370 St. Nicholas Avenue,
New York, NY 10033 -
Audubon ave & 172 street ny;
0.6644 km

Public Library
100% Google map

Potomac FIM-71 and Z-Tecnology R-507 Data Entry Screen

Use this column for entries

Meter Type:	R-507	<< Enter FIM-71 or R-507
Case Name:	Raul de la Rosa	
Case number:	EB-NER-12-000011141	
Date:	3/5/2012	
Agents:	LR	
Frequency, MHz:	94.50 MHz	
Cluster 1 measurement:	72.6 dB μ V	
Cluster 2 measurement:	74.1 dB μ V	
Cluster 3 measurement:	73.6 dB μ V	
Cluster 4 measurement:	69.6 dB μ V	
Cluster 5 measurement:	71.2 dB μ V	
Distance from measurement point to transmitting antenna:	1851.706 ft.	Distance OK

Frequency is within the 88 - 108 MHz measurement range

Authorized Field Strength at
3 meters is:

250 μ V/Meter

ANTENNA FACTOR db/m

7.5 db/m

Cable Loss

1.5 dB

TOTAL CORRECTION *

9.0 F12 MUST = ANT OFF

* = If above corrections are stored in Z-Meter, and Function 12 = "ON ANT"
then Total Correction = 0 dB/m and Antenna Factor in 'Results' = 1.0

Frequency is within the 88 - 108 MHz measurement range

**AVERAGE OF FIVE CLUSTER MEASUREMENTS WITH R-507
WITH MEASUREMENT ANTENNA AT A 7 FOOT HEIGHT**

Name
Raul de la Rosa

Case Number
EB-NER-12-000011141

Date
3/5/2012
LR

Data Inside the Box Has Been Entered by the Field Agent. Other Values Are Calculated. Agents:

Fundamental Frequency In MHz (valid for 88 to 108 MHz)	Cluster Meter Readings	For F1.2 = ANT OFF (μV)
<u>94.50</u>	Reading 1	<u>4266</u>
	Reading 2	<u>5070</u>
Distance From Antenna in Feet	Reading 3	<u>4786</u>
<u>1.852</u>	Reading 4	<u>3020</u>
	Reading 5	<u>3631</u>

Distance OK

Average Cluster Meter
Reading
(μV)
4,155

Antenna Factor
For Z-Tech 7 Foot Curve
From Data Entry Values
2.82

Measured Field
Strength
($\mu\text{V}/\text{m}$)
11,709

Distance From
Antenna
(meters)
564.4

Field Strength
Extrapolated to 3 Meters
($\mu\text{V}/\text{m}$)
2,202,873

Field Strength With Accuracy
Allowance in Favor of the Subject
($\mu\text{V}/\text{m}$)
1,455,424

Accuracy
(db and decimal)

3.60
1.51

Legal Part 15 Limit
At 3 Meters
($\mu\text{V}/\text{m}$)
250.00

Operation Is
X
Times Legal Value

8,811

Put this value in the affidavit
(Measured values,
extrapolated to 3 meters.)

2,202,873 ($\mu\text{V}/\text{m}$) extrapolated

8,811 times the legal value

Violation Confirmed

Potomac FIM-71 and Z-Tecnology R-507 Data Entry Screen

Use this column for entries

Meter Type:	R-507	<< Enter FIM-71 or R-507
Case Name:	Raul de la Rosa	
Case number:	EB-NER-12-000011141	
Date:	3/5/2012	
Agents:	LR	
Frequency, MHz:	94.90 MHz	
Cluster 1 measurement:	73.7 dB μ V	
Cluster 2 measurement:	73 dB μ V	
Cluster 3 measurement:	74.7 dB μ V	
Cluster 4 measurement:	68.5 dB μ V	
Cluster 5 measurement:	72.3 dB μ V	
Distance from measurement point to transmitting antenna:	1851.706 ft.	Distance OK

Frequency is within the 88 - 108 MHz measurement range

Authorized Field Strength at
3 meters is:

250 μ V/Meter

ANTENNA FACTOR db/m

7.5 db/m

Cable Loss

1.5 dB

TOTAL CORRECTION *

9.0 F12 MUST = ANT OFF

* = If above corrections are stored in Z-Meter, and Function 12 = "ON ANT"
then Total Correction = 0 dB/m and Antenna Factor in 'Results' = 1.0

Frequency is within the 88 - 108 MHz measurement range

**AVERAGE OF FIVE CLUSTER MEASUREMENTS WITH R-507
WITH MEASUREMENT ANTENNA AT A 7 FOOT HEIGHT**

Name
Raul de la Rosa

Case Number
EB-NER-12-000011141

Date
3/5/2012
LR

Data Inside the Box Has Been Entered by the Field Agent. Other Values Are Calculated. Agents:

Fundamental Frequency In MHz (valid for 88 to 108 MHz)	Cluster Meter Readings	For F12 = ANT OFF (μ V)
<u>94.90</u>	Reading 1	<u>4842</u>
	Reading 2	<u>4467</u>
Distance From Antenna in Feet	Reading 3	<u>5433</u>
<u>1,852</u>	Reading 4	<u>2661</u>
	Reading 5	<u>4121</u>

Distance OK

Average Cluster Meter
Reading
(μ V)
4,305

Antenna Factor
For Z-Tech 7 Foot Curve
From Data Entry Values
2.82

Measured Field
Strength
(μ V/m)
12,132

Distance From
Antenna
(meters)
564.4

Field Strength
Extrapolated to 3 Meters
(μ V/m)
2,282,411

Field Strength With Accuracy
Allowance in Favor of the Subject
(μ V/m)
1,507,974

Accuracy
(db and decimal)
3.60
1.51

Legal Part 15 Limit
At 3 Meters
(μ V/m)

250.00

Operation Is
X
Times Legal Value

9,130

Put this value in the affidavit

2,282,411 (μ V/m) extrapolated

(Measured values,
extrapolated to 3 meters.)

9,130 times the legal value

Violation Confirmed

3

Exhibit 3
(16 pages)

notes 061812.txt

06/18/2012 - MDFX1

Agent: Luis Salazar & Luis Roman
Pirate Investigation: 94.5 MHz,
94.9 MHz

Location of TX: New York, NY

Agents LS and LR monitored, DFed
and measured the stations
transmitting out of the building
at 1370 St. Nicholas Avenue.
The antennas were identified on a
balcony on the top floor of the
the building the DFing was
done at the hours they start
their operation on weekdays around
6:00 PM,

Measurements for 94.5 MHz (dBuV):
72.1, 74.6, 73.1, 70.1, 69.7

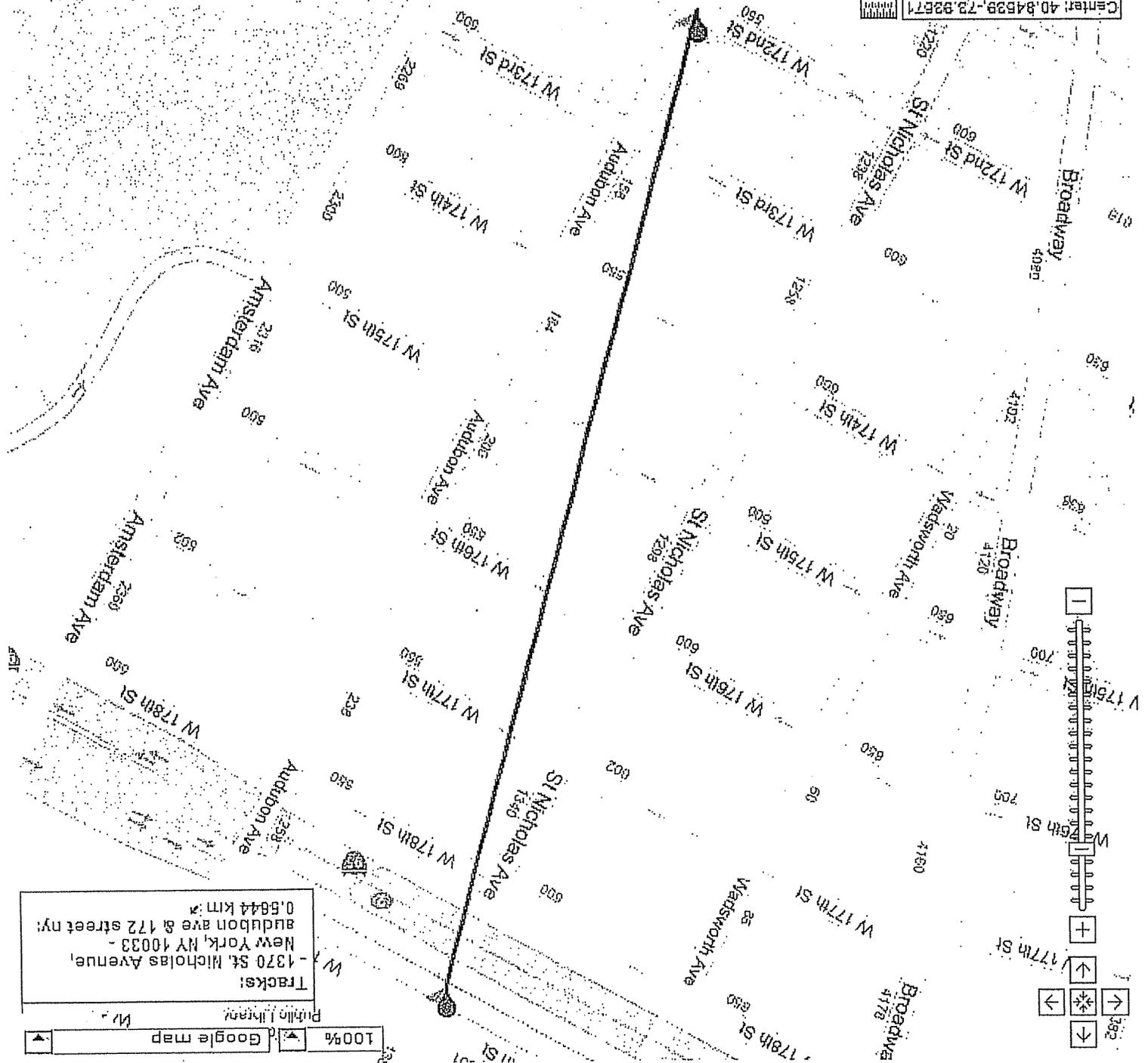
Measurements for 94.9 MHz (dBuV):
73.2, 73.5, 74.2, 69.0, 71.8

Location: intersection of Saint
Nicholas Avenue and W. 186 St.

The agents requested assistance
from the management and the
superintendent Ramon Figueredo
scorted us to the top of the
building where pictures of the
antennas were taken thru windows
and from the roof.
Agents knocked on the door of
apartment # 32N but no one
answered. The agents left a Hand
Delivered NOUO on the door of the
apartment.

Map created at GPSvisualizer.com
Map data ©2012 Google - Terms of Use

Center: 40.84539, -73.93671
Powered by Google
200 ft 100 m



Tracks:
- 1370 St, Nicholas Avenue,
New York, NY 10033 -
Audubon Ave & 172 street ny;
0.6644 km ↗

100%
Google map
Public domain

Potomac FIM-71 and Z-Tecnology R-507 Data Entry Screen

Use this column for entries

Meter Type:	R-507	<< Enter FIM-71 or R-507
Case Name:	Raul de la Rosa	
Case number:	EB-NER-12-000011141	
Date:	6/18/2012	
Agents:	LR	
Frequency, MHz:	94.50 MHz	
Cluster 1 measurement:	72.1 dB μ V	
Cluster 2 measurement:	74.6 dB μ V	
Cluster 3 measurement:	73.1 dB μ V	
Cluster 4 measurement:	70.1 dB μ V	
Cluster 5 measurement:	69.7 dB μ V	
Distance from measurement point to transmitting antenna:	1851.706 ft.	Distance OK

Frequency is within the 88 - 108 MHz measurement range

Authorized Field Strength at
3 meters is:

250 μ V/Meter

ANTENNA FACTOR db/m

7.5 db/m

Cable Loss

1.5 dB

TOTAL CORRECTION *

9.0 F12 MUST = ANT OFF

* = If above corrections are stored in Z-Meter, and Function 12 = "ON ANT"
then Total Correction = 0 dB/m and Antenna Factor in 'Results' = 1.0

Frequency is within the 88 - 108 MHz measurement range

**AVERAGE OF FIVE CLUSTER MEASUREMENTS WITH R-507
WITH MEASUREMENT ANTENNA AT A 7 FOOT HEIGHT**

Name	Case Number	Date
Raul de la Rosa	EB-NER-12-000011141	6/18/2012
Data Inside the Box Has Been Entered by the Field Agent. Other Values Are Calculated. Agents:		LR

Fundamental Frequency In MHz (valid for 88 to 108 MHz)	Cluster Meter Readings	For F12 = ANT OFF (μV)
<u>94.50</u>	Reading 1	<u>4027</u>
	Reading 2	<u>5370</u>
Distance From Antenna in Feet	Reading 3	<u>4519</u>
<u>1,852</u>	Reading 4	<u>3199</u>
	Reading 5	<u>3055</u>

Distance OK

Average Cluster Meter Reading (μV) 4,034	Antenna Factor For Z-Tech 7 Foot Curve From Data Entry Values 2.82	Measured Field Strength ($\mu\text{V}/\text{m}$) 11,369
Distance From Antenna (meters) 564.4	Field Strength Extrapolated to 3 Meters ($\mu\text{V}/\text{m}$) 2,138,941	Field Strength With Accuracy Allowance in Favor of the Subject ($\mu\text{V}/\text{m}$) 1,413,184
Accuracy (db and decimal) 3.60 1.51	Legal Part 15 Limit At 3 Meters ($\mu\text{V}/\text{m}$) 250.00	Operation Is X Times Legal Value 8,556

Put this value in the affidavit (Measured values, extrapolated to 3 meters.)	2,138,941 ($\mu\text{V}/\text{m}$) extrapolated 8,556 times the legal value
--	--

Violation Confirmed

Potomac FIM-71 and Z-Tecnology R-507 Data Entry Screen

Use this column for entries

Meter Type:	R-507	<< Enter FIM-71 or R-507
Case Name:	Raul de la Rosa	
Case number:	EB-NER-12-000011141	
Date:	6/18/2012	
Agents:	LR	
Frequency, MHz:	94.90 MHz	
Cluster 1 measurement:	73.2 dB μ V	
Cluster 2 measurement:	73.5 dB μ V	
Cluster 3 measurement:	74.2 dB μ V	
Cluster 4 measurement:	69 dB μ V	
Cluster 5 measurement:	71.8 dB μ V	
Distance from measurement point to transmitting antenna:	1851.706 ft.	Distance OK

Frequency is within the 88 - 108 MHz measurement range

Authorized Field Strength at
3 meters is:

250 μ V/Meter

ANTENNA FACTOR db/m

7.5 db/m

Cable Loss

1.5 dB

TOTAL CORRECTION *

9.0

F12 MUST = ANT OFF

* = If above corrections are stored in Z-Meter, and Function 12 = "ON ANT"
then Total Correction = 0 dB/m and Antenna Factor in 'Results' = 1.0

Frequency is within the 88 - 108 MHz measurement range

**AVERAGE OF FIVE CLUSTER MEASUREMENTS WITH R-507
WITH MEASUREMENT ANTENNA AT A 7 FOOT HEIGHT**

Name
Raul de la Rosa

Case Number
EB-NER-12-00001141

Date
6/18/2012
LR

Data Inside the Box Has Been Entered by the Field Agent. Other Values Are Calculated. Agents:

Fundamental Frequency In MHz (valid for 88 to 108 MHz)	Cluster Meter Readings	For F12 = ANT OFF (μV)
<u>94.90</u>	Reading 1	<u>4571</u>
	Reading 2	<u>4732</u>
Distance From Antenna in Feet	Reading 3	<u>5129</u>
<u>1,852</u>	Reading 4	<u>2818</u>
	Reading 5	<u>3890</u>

Distance OK

Average Cluster Meter
Reading
(μV)
4,228

Antenna Factor
For Z-Tech 7 Foot Curve
From Data Entry Values
2.82

Measured Field
Strength
($\mu V/m$)
11,916

Distance From
Antenna
(meters)
564.4

Field Strength
Extrapolated to 3 Meters
($\mu V/m$)
2,241,803

Field Strength With Accuracy
Allowance in Favor of the Subject
($\mu V/m$)
1,481,145

Accuracy
(db and decimal)
3.60
1.51

Legal Part 15 Limit
At 3 Meters
($\mu V/m$)

250.00

Operation Is
X
Times Legal Value

8,967

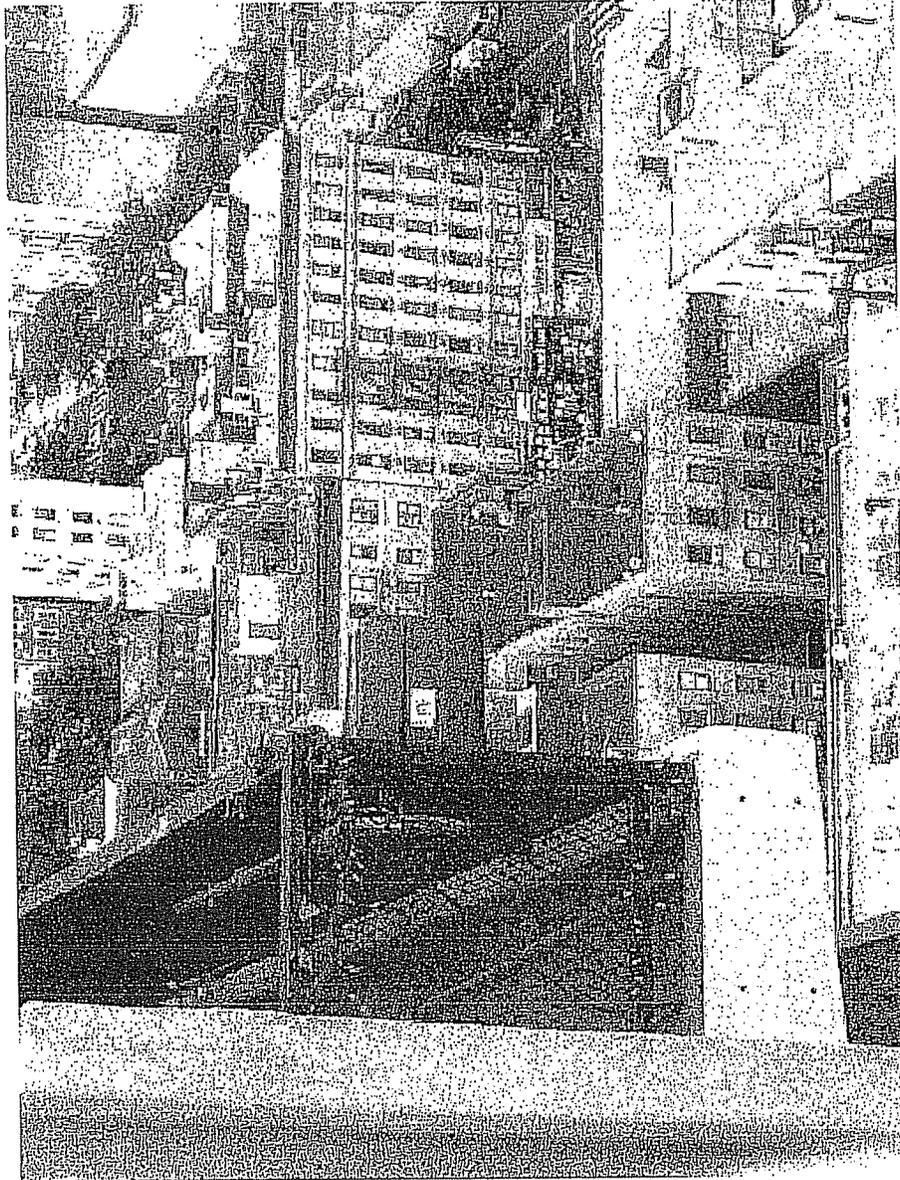
Put this value in the affidavit

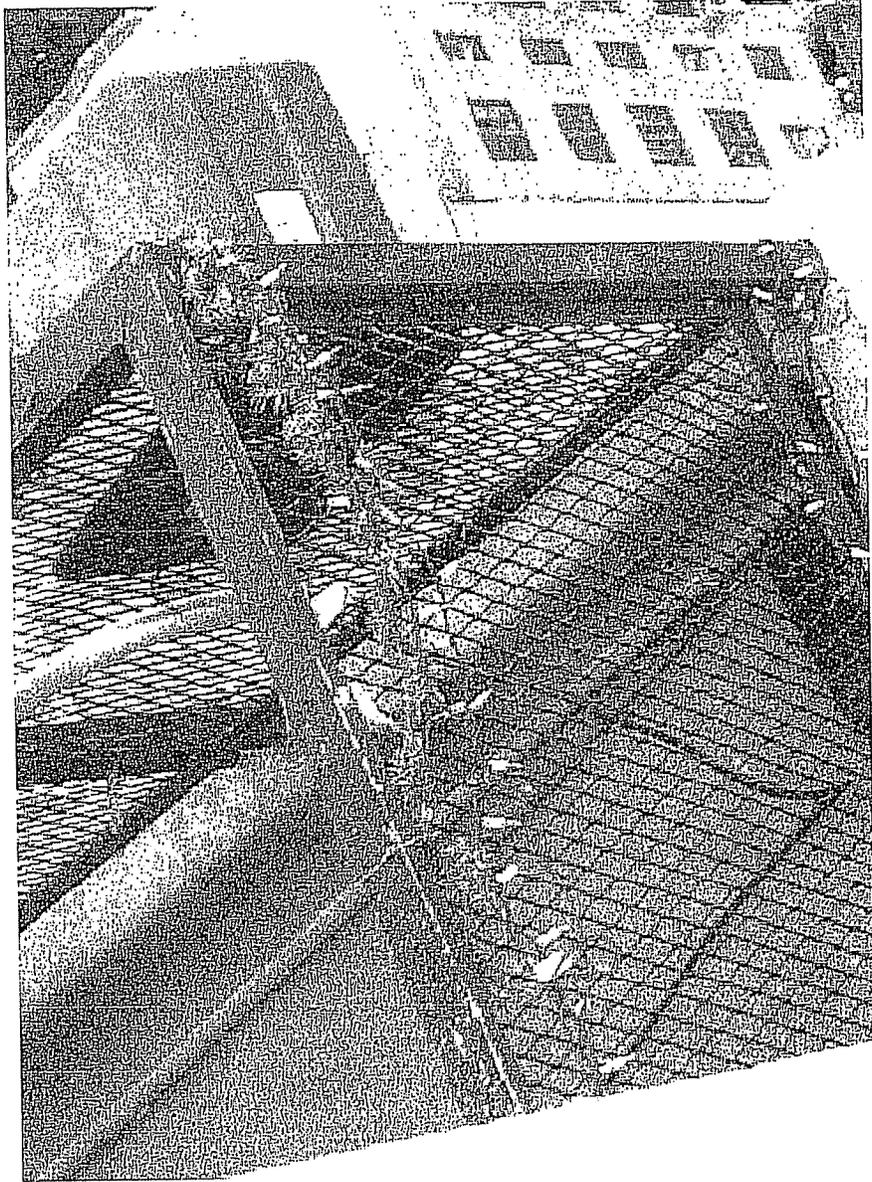
2,241,803 ($\mu V/m$) extrapolated

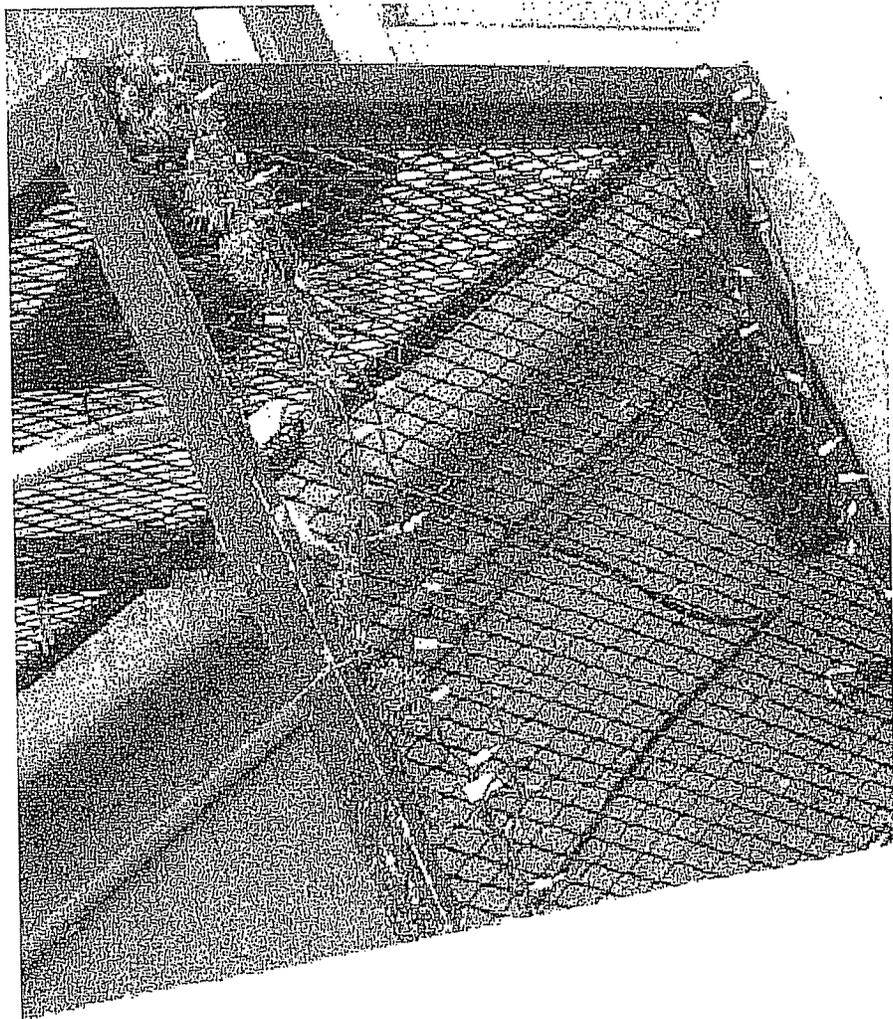
(Measured values,
extrapolated to 3 meters.)

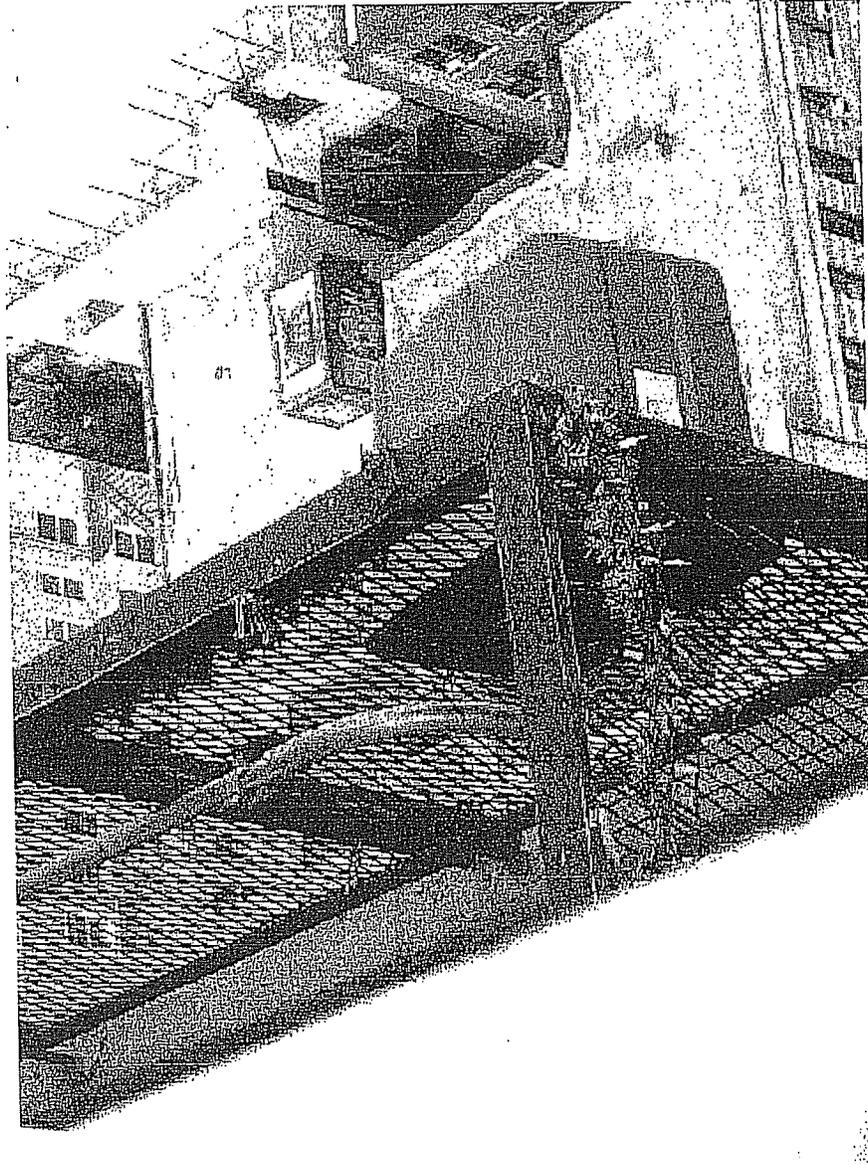
8,967 times the legal value

Violation Confirmed

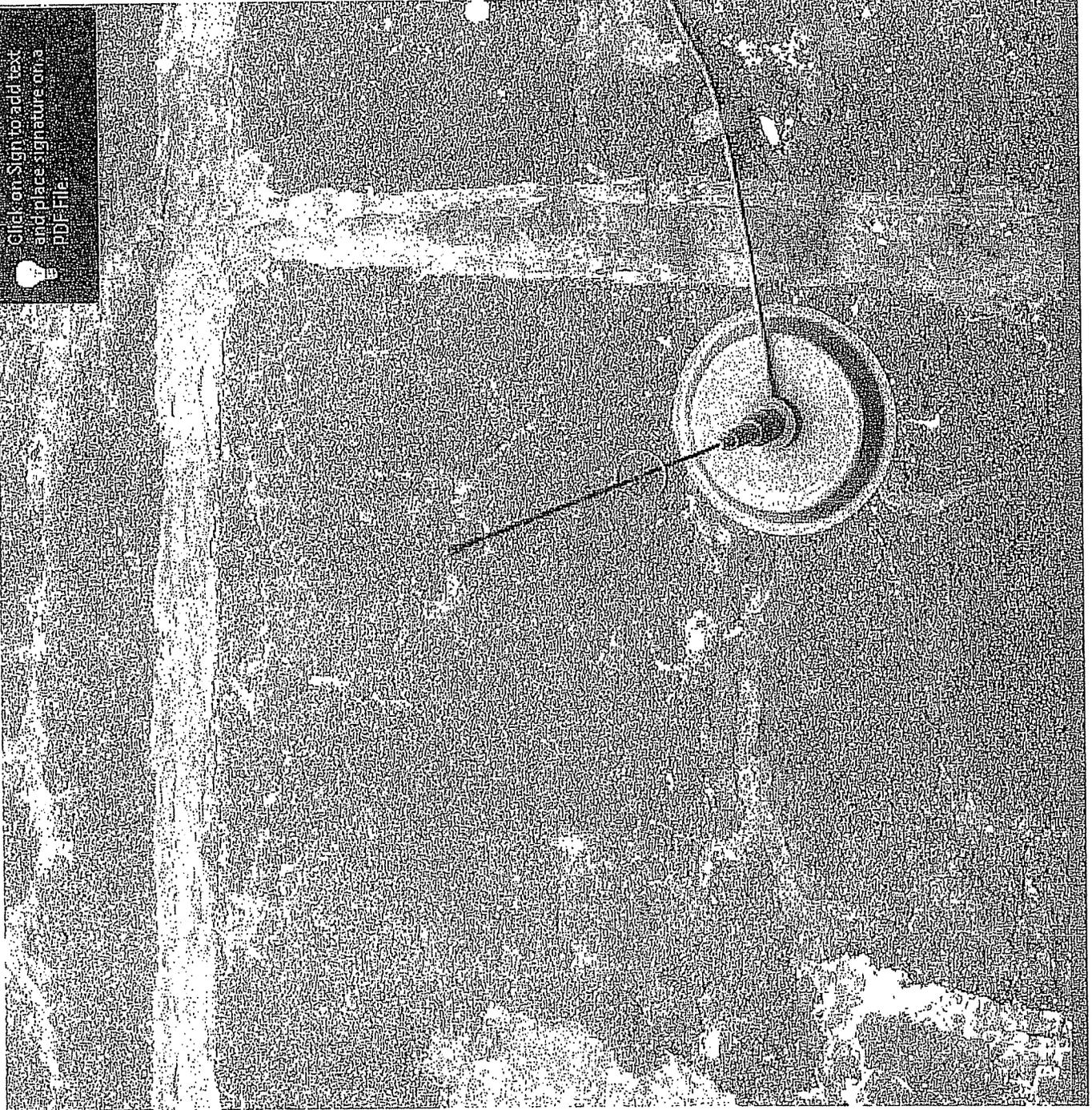




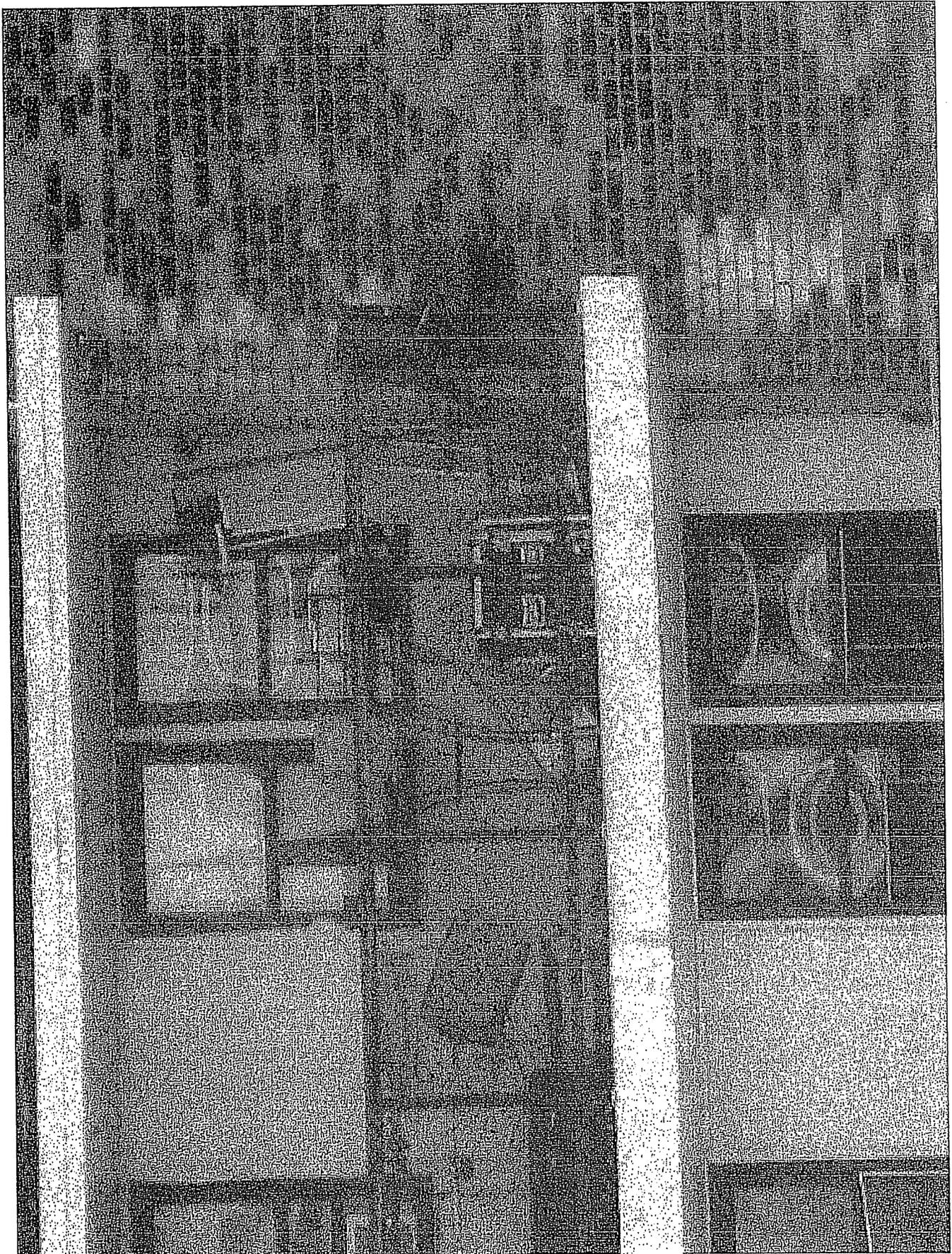




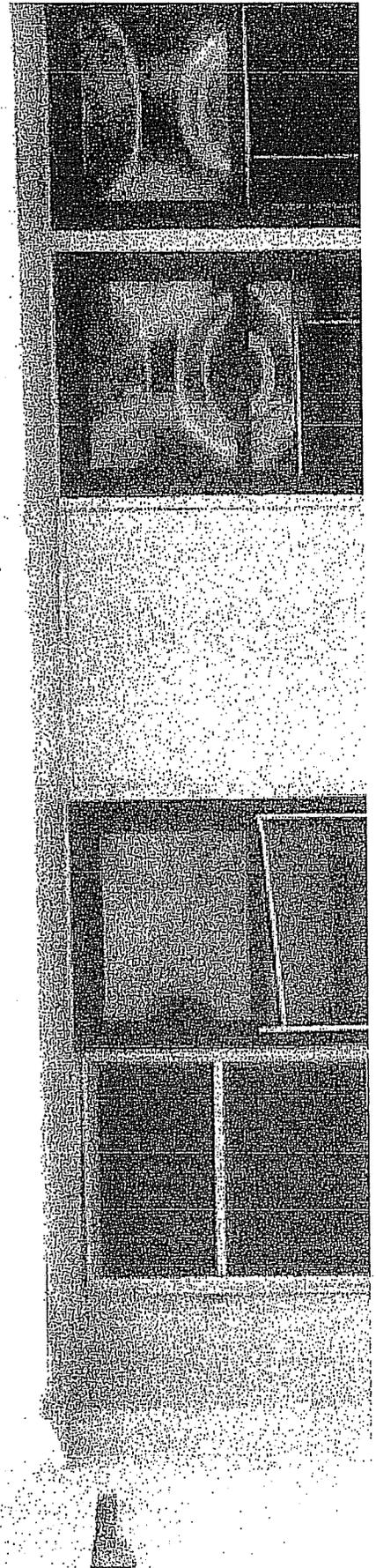
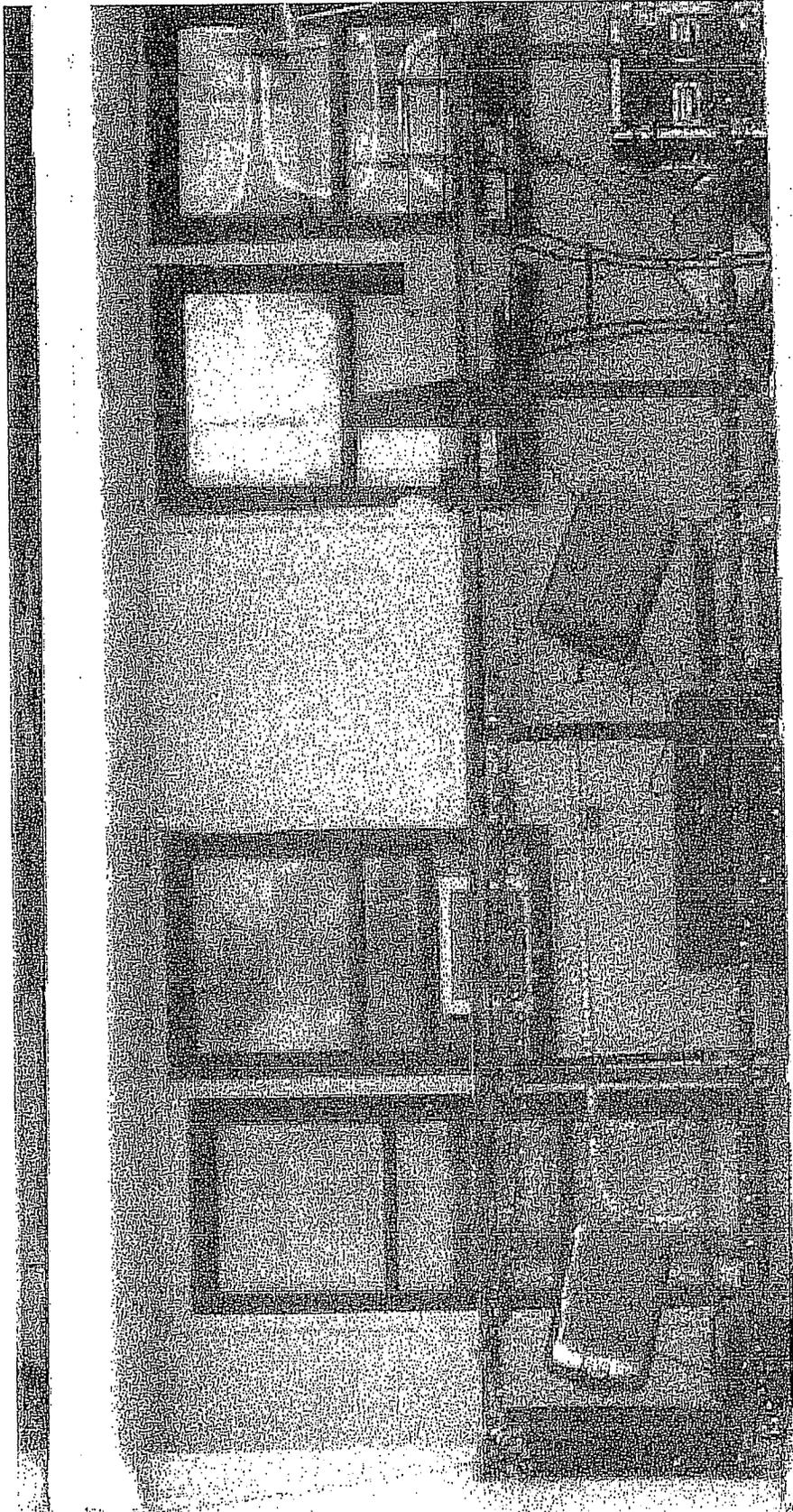
Click on Sign to add text
and place signature on a
PDF file













FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU

Field Office
New York Office
205 Park Street
New York, New York 10014

File # 357-1862

HAND DELIVERED

Attest: W. J. McLaughlin
Director

Date 06/18/72

RE: NOTICE OF UNLICENSED RADIO OPERATION

To: Alfred J. St. # 32 N

On May 18, 1972, agents of the Federal Communications Commission (FCC) noted the following conditions regarding the radio station located at 1570 St. Michaels Ave. New York, N.Y. 10033:

(1) Your refusal to allow an inspection of your radio equipment in violation of Section 306 (a) of the Communications Act of 1934, as amended, 47 U.S.C. § 306(a).

(2) A valid FCC radio station license for your radio transmissions on 94.5 MHz was not in evidence at the time of the unlicensed inspection. Operation of a radio station without proper Commission authorization is a violation of Section 301 of the Communications Act of 1934, as amended, (47 U.S.C. § 301).

(3) Radio equipment must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exceptions to this licensing requirement are for certain unlicensed uses or operation at a power level or mode of operation that complies with the standards established by the Commission's rules, 47 C.F.R. § 15.147-149. Field strength measurements of your operation on 94.5 MHz were taken and were found to exceed the allowable limits established in Part 15. Thus, your station is operating in violation of 47 U.S.C. § 301.

(4) Spurious radio signals associated with the operation of this station were detected on the frequency (ies) of _____. The spurious signal (s) (ies) within the radio frequency band assigned for communications between aircraft and/or ground communication facilities. The signal (s) was (were) found to be a hazard to the operation of aircraft since air/ground communications could be affected.

(5) Spurious radio signals associated with the operation of this station were detected on the frequency (ies) of _____. These signals were (were) found to be a hazard to the operation of aircraft since air/ground communications could be affected.

(6) You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization and/or to cause an interference with the operation of a radio station authorized by the Federal Communications Commission is prohibited by the Federal Communications Act of 1934, 47 U.S.C. § 552(a)(3). You are informed that the Commission will use all relevant material information obtained to date to file a notice of violation of the Communications Act of 1934, as amended, 47 U.S.C. § 552(a)(3). This will include any information that you may possess in your reply.

UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.

You have ten (10) days from the date of this notice to respond to this notice with any evidence that you have authority to operate this station. Your response should be sent to the address listed in the notice. Under the Privacy Act of 1974, 5 U.S.C. § 552(a)(3), we are informing you that the Commission will use all relevant material information obtained to date to file a notice of violation of the Communications Act of 1934, as amended, 47 U.S.C. § 552(a)(3). This will include any information that you may possess in your reply.

When this notice is received, this notice must be acknowledged by the recipient and a return of mail.

Respectfully,
Richard A. ...
Federal Communications Commission
New York Office

32N

Exhibit 4
(3 pages)



FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
201 Varick Street, Suite 1151, New York, NY 10014-4870
TEL: (212) 337-1865 FAX: (212) 620-3718

FAX TRANSMISSION

TO: Jackie
Managem ent office of:
1370 St Nicholas Ave.
New York, NY 10033
Fax: (212)795-9636

FROM: Luis Román
FCC - Enforcement Bureau – New York Office

DATE: June 19, 2012

Hi Jackie according to our earlier conversation on the phone I am sending you this fax with our request.

The FCC is conducting a Federal Government investigation.
We need the name of the people who lease the following apartments at:
1370 ST NICHOLAS AVE
NEW YORK, NY 10033
Apartments: 32N [REDACTED]

Thanks, for your cooperation.

Luis Román
Electronics Engineer
Federal Communications Commission
201 Varick Street
Suite 1151
New York, NY 10014
212-337-1564
luis.roman@fcc.gov

Non-Public Information
**IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CALL
(212) 337-1865.**



FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
201 Varick Street, Suite 1151, New York, NY 10014-4870
TEL: (212) 337-1865 FAX: (212) 620-3718

FAX TRANSMISSION

To: From:

Jackie
Management office of:
1370 St Nicholas Ave.
New York, NY 10033
Fax: (212)795-9636

~~FROM:~~

Luis Román
FCC - Enforcement Bureau - New York Office

TO:

DATE: June 19, 2012

Hi Jackie according to our earlier conversation on the phone I am sending you this fax with our request.

The FCC is conducting a Federal Government investigation.
We need the name of the people who lease the following apartments at:
1370 ST NICHOLAS AVE
NEW YORK, NY 10033
Apartments: 32N [REDACTED]

Thanks, for your cooperation.

Luis Román
Electronics Engineer
Federal Communications Commission
201 Varick Street
Suite 1151
New York, NY 10014
212-337-1564
luis.roman@fcc.gov

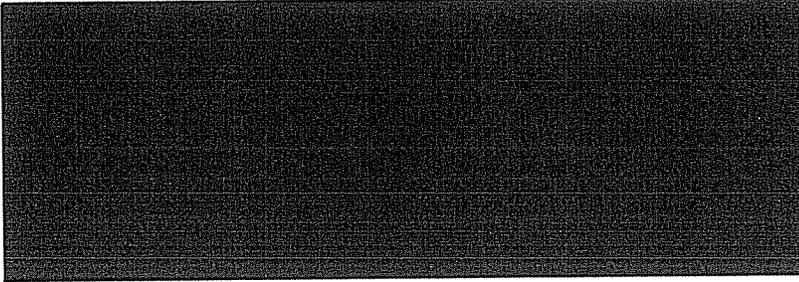
Non-Public Information
IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CALL

TOTAL P.002

Jun. 20. 2012 9:42AM

No. 5239 P. 1

1370 St. Nicholas Avenue



32N De la Rosa, Raul

Exhibit 5
(2 pages)

Unknown

From: David Dombrowski
Sent: Wednesday, May 02, 2012 8:43 AM
To: Luis Roman
Cc: Kevin Doyle
Subject: FW: NYC Pirate RIKA 94.9
Luis

Here is information on an FM pirate in your jurisdiction. The complainant has notified us in the past (back in 2009) about a network of stations in PA and NY. We shut the station down in Hazleton NY. Looks like the operators of the NY station have ties to Hazleton, PA. The complainant observed their vehicle in town.

I will be forwarding you three other emails with additional info.

Dave

From: [REDACTED]
Sent: Tuesday, May 01, 2012 11:59 PM
To: David Dombrowski
Subject: NYC Pirate RIKA 94.9

Mr. Dombrowski,

I came across this information about a Latin music station on 94.9 in the Brooklyn area. You can forward all of this to the NY FCC Field office for investigation. There will be a couple of messages that were posted on the WTFDA (Worldwide TV-FM DX Association) bulletin board.

I saw their car parked in Hazleton and started to ask a few questions about it. The car is a red Kia Soul PA license number HHZ-8498. The logo on the back of the car is RIKA 94.9 FM. The side of the car has "ACTIVA FM" "TU TIENES EL CONTROL" "New York, NY". It seemed a bit odd that a NYC radio station would have a car with PA plates. Also there is a full power Class B station on 94.7 WFME in Newark, NJ. It seems unlikely the FCC would license even a translator on 94.9 in the NY City area.

I had contacted you about another unlicensed FM operator on 92.5 in Hazleton and Wilkes-Barre back in April 2009 which was later shut down after your investigation.

[REDACTED]

Luis Roman

From: FCC Operations Center
Sent: Wednesday, July 11, 2012 8:28 AM
To: Luis Roman
Cc: FCC Operations Center
Subject: RE: investigation on a pirate station

Luis,

The following is what I have for PA HHZ-8498:

Raul A. Delarosa
26 Gore St.
Wilkes Barre, PA 18705
Luzerne County

Veh. ID: KNDJT2A22A7049619
Veh. Make: Kia/2010
No color listed for vehicle

Thank you,

Ron Lovins

*Watch Officer
Public Safety and Homeland Security Bureau
Federal Communications Commission
(202) 418-1122*

From: Luis Roman
Sent: Wednesday, July 11, 2012 7:30 AM
To: FCC Operations Center
Subject: investigation on a pirate station

Good morning

We are conducting an investigation on a pirate station.
And we need to know the owner of a red Kia Soul with license plate from PA HHZ-8498.
Could you help us with the information needed?

Thanks,

Luis E. Román C.
Electronics Engineer
Federal Communications Commission
Enforcement Bureau
New York Field Office
201 Varick Street
Suite 1151
New York, NY 10014
Phone: 212-337-1564
Cell: 917-280-3157
Fax: 212-620-3718

6

Exhibit 6
(7 pages)

02/02/13 - MDFX1

Agent: Luis Salazar & Luis Roman
Pirate Investigation: 94.5 MHz,
94.9 MHz
Location of TX: New York, NY

Agent LR monitored, DFed and measured the stations transmitting out of the building at 260 Audubon Avenue (or building next to it).

The blue crates hiding the antennas were still there and at 10:30 AM there was neither transmission nor carrier on the air on either 94.5 MHz or 94.9 MHz.

The agent kept monitoring the stations which started transmissions at 3:00 PM.

The agent took field strength measurements of both stations.

The streaming on line was different than the transmission over the air.

On the streamed programming they had a song repeated over and over again for approximately 30 minutes.

Recordings were made.

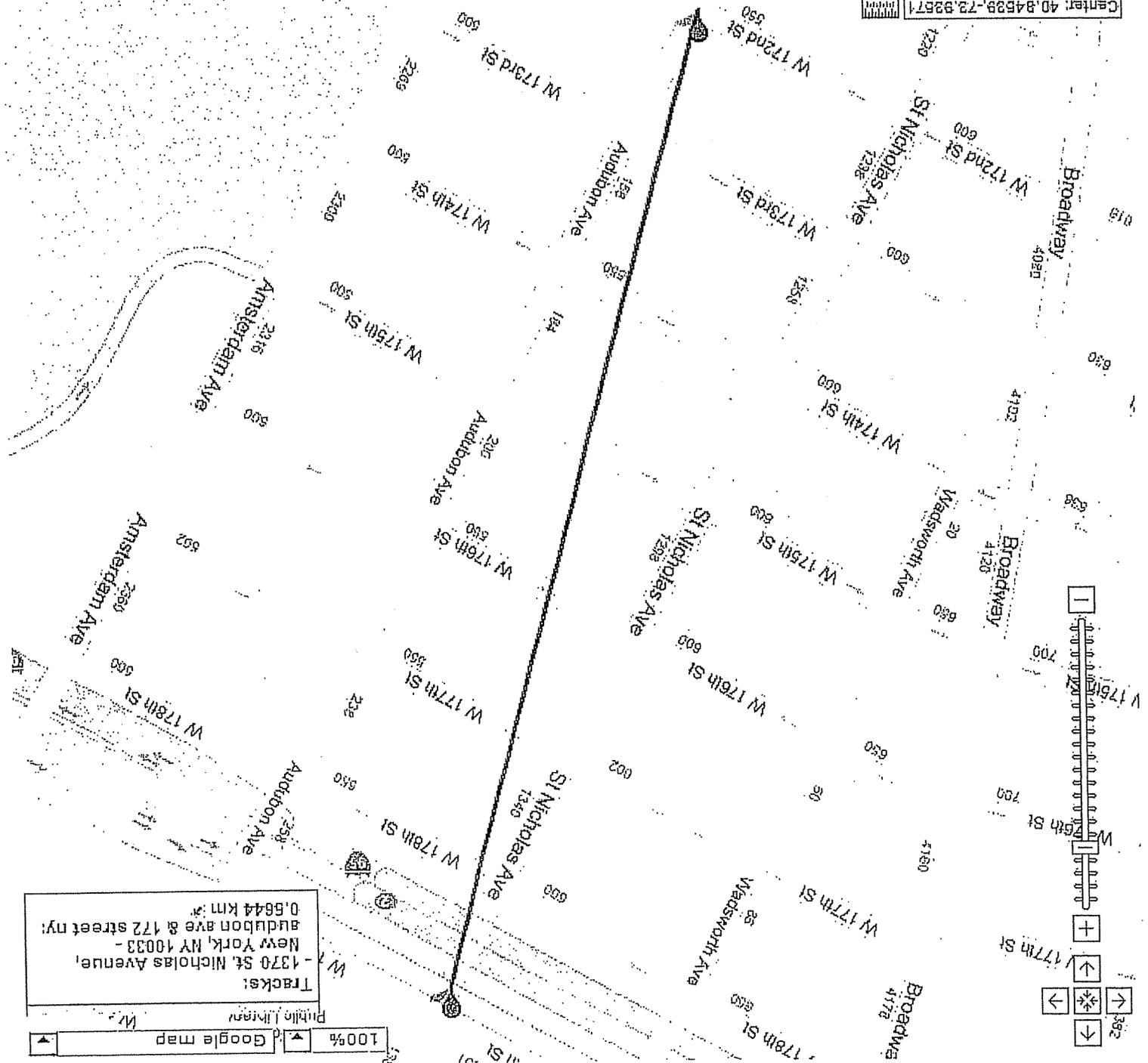
Measurements for 94.5 MHz (dBuV):
72.8, 73.9, 73.8, 69.4, 71.4

Measurements for 94.9 MHz (dBuV):
73.0, 73.7, 74.0, 69.2, 71.6

Location: intersection of Audubon Avenue and W. 172nd Street.

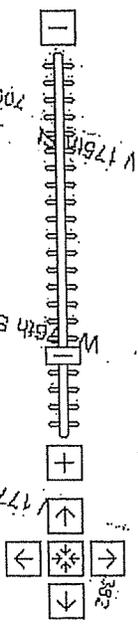
Map created at GPSVisualizer.com
Map data ©2012 Google - Terms of Use

Center: 40.84539, -73.92871
POWERED BY Google
100 m



Tracks:
- 1370 St. Nicholas Avenue,
New York, NY 10033 -
Audubon Ave & 172 Street NY:
0.5644 km

100% Google map



Potomac FIM-71 and Z-Tecnology R-507 Data Entry Screen

Use this column for entries

Meter Type:	R-507	<< Enter FIM-71 or R-507
Case Name:	Raul de la Rosa	
Case number:	EB-NER-12-000011141	
Date:	2/2/2013	
Agents:	LR	
Frequency, MHz:	94.50 MHz	
Cluster 1 measurement:	72.8 dB μ V	
Cluster 2 measurement:	73.9 dB μ V	
Cluster 3 measurement:	73.8 dB μ V	
Cluster 4 measurement:	69.4 dB μ V	
Cluster 5 measurement:	71.4 dB μ V	
Distance from measurement point to transmitting antenna:	1851.706 ft.	Distance OK

Frequency is within the 88 - 108 MHz measurement range

Authorized Field Strength at
3 meters is:

250 μ V/Meter

ANTENNA FACTOR db/m

7.5 db/m

Cable Loss

1.5 dB

TOTAL CORRECTION *

9.0

F12 MUST = ANT OFF

* = If above corrections are stored in Z-Meter, and Function 12 = "ON ANT"
then Total Correction = 0 dB/m and Antenna Factor in 'Results' = 1.0

Frequency is within the 88 - 108 MHz measurement range

**AVERAGE OF FIVE CLUSTER MEASUREMENTS WITH R-507
WITH MEASUREMENT ANTENNA AT A 7 FOOT HEIGHT**

Name
Raul de la Rosa

Case Number
EB-NER-12-000011141

Date
2/2/2013
LR

Data Inside the Box Has Been Entered by the Field Agent. Other Values Are Calculated. Agents:

Fundamental Frequency In MHz (valid for 88 to 108 MHz)	Cluster Meter Readings	For F12 = ANT OFF (μV)
<u>94.50</u>	Reading 1	<u>4365</u>
	Reading 2	<u>4955</u>
Distance From Antenna in Feet	Reading 3	<u>4898</u>
<u>1,852</u>	Reading 4	<u>2951</u>
	Reading 5	<u>3715</u>

Distance OK

Average Cluster Meter
Reading
(μV)
4,177

Antenna Factor
For Z-Tech 7 Foot Curve
From Data Entry Values
2.82

Measured Field
Strength
($\mu\text{V}/\text{m}$)
11,772

Distance From
Antenna
(meters)
564.4

Field Strength
Extrapolated to 3 Meters
($\mu\text{V}/\text{m}$)
2,214,673

Field Strength With Accuracy
Allowance in Favor of the Subject
($\mu\text{V}/\text{m}$)
1,463,220

Accuracy
(db and decimal)
3.60
1.51

Legal Part 15 Limit
At 3 Meters
($\mu\text{V}/\text{m}$)
250.00

Operation Is
X
Times Legal Value
8,859

Put this value in the affidavit

2,214,673 ($\mu\text{V}/\text{m}$) extrapolated

(Measured values,
extrapolated to 3 meters.)

8,859 times the legal value

Violation Confirmed

Potomac FIM-71 and Z-Tecnology R-507 Data Entry Screen

Use this column for entries

Meter Type:	R-507	<< Enter FIM-71 or R-507
Case Name:	Raul de la Rosa	
Case number:	EB-NER-12-000011141	
Date:	2/2/2013	
Agents:	LR	
Frequency, MHz:	94.90 MHz	
Cluster 1 measurement:	73 dB μ V	
Cluster 2 measurement:	73.7 dB μ V	
Cluster 3 measurement:	74 dB μ V	
Cluster 4 measurement:	69.2 dB μ V	
Cluster 5 measurement:	71.6 dB μ V	
Distance from measurement point to transmitting antenna:	1851.706 ft.	Distance OK

Frequency is within the 88 - 108 MHz measurement range

Authorized Field Strength at
3 meters is:

250 μ V/Meter

ANTENNA FACTOR db/m

7.5 db/m

Cable Loss

1.5 dB

TOTAL CORRECTION *

9.0 F12 MUST = ANT OFF

* = If above corrections are stored in Z-Meter, and Function 12 = "ON ANT"
then Total Correction = 0 dB/m and Antenna Factor in 'Results' = 1.0

Frequency is within the 88 - 108 MHz measurement range

**AVERAGE OF FIVE CLUSTER MEASUREMENTS WITH R-507
WITH MEASUREMENT ANTENNA AT A 7 FOOT HEIGHT**

Name
Raul de la Rosa

Case Number
EB-NER-12-000011141

Date
2/2/2013
LR

Data Inside the Box Has Been Entered by the Field Agent. Other Values Are Calculated. Agents:

Fundamental Frequency In MHz (valid for 88 to 108 MHz)	Cluster Meter Readings	For F12 = ANT OFF (μV)
<u>94.90</u>	Reading 1	<u>4467</u>
	Reading 2	<u>4842</u>
Distance From Antenna in Feet	Reading 3	<u>5012</u>
<u>1,852</u>	Reading 4	<u>2884</u>
	Reading 5	<u>3802</u>

Distance OK

Average Cluster Meter
Reading
(μV)
4,201

Antenna Factor
For Z-Tech 7 Foot Curve
From Data Entry Values
2.82

Measured Field
Strength
($\mu\text{V}/\text{m}$)
11,841

Distance From
Antenna
(meters)
564.4

Field Strength
Extrapolated to 3 Meters
($\mu\text{V}/\text{m}$)
2,227,648

Field Strength With Accuracy
Allowance in Favor of the Subject
($\mu\text{V}/\text{m}$)
1,471,792

Accuracy
(db and decimal)
3.60
1.51

Legal Part 15 Limit
At 3 Meters
($\mu\text{V}/\text{m}$)
250.00

Operation Is
X
Times Legal Value
8,911

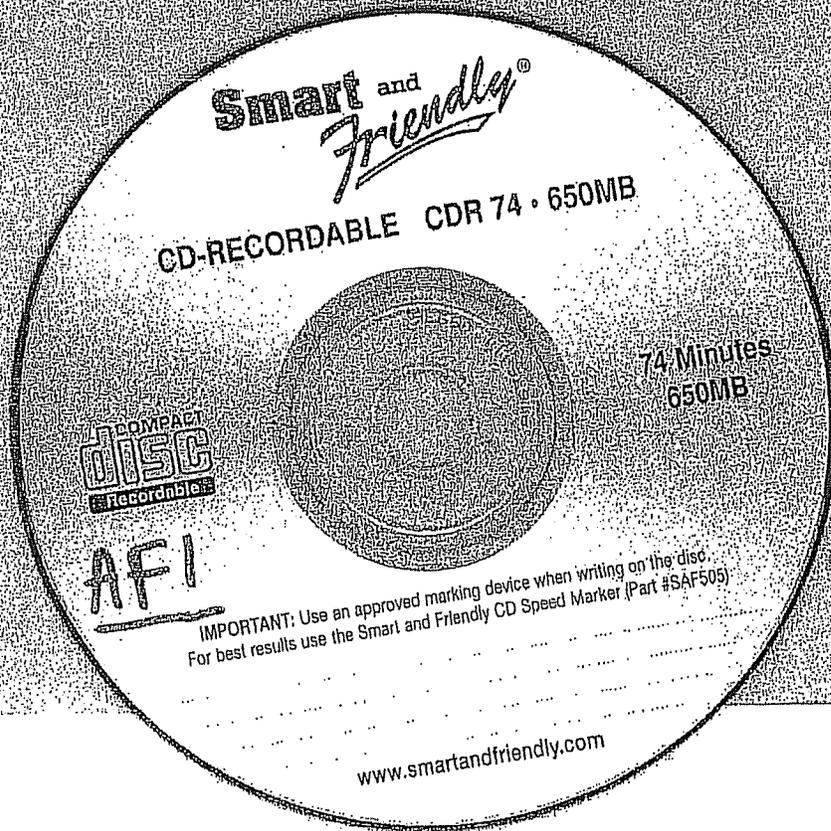
Put this value in the affidavit

2,227,648 ($\mu\text{V}/\text{m}$) extrapolated

(Measured values,
extrapolated to 3 meters.)

8,911 times the legal value

Violation Confirmed



AFI (Audio File.1)

Audio Files on enclosed CD

- RIKA1.3gp - Recording 1 of RIKA FM 94.5 - 02/02/13 - 00:00:02 (Spanish) "...en la página web *RIKAFM.com...*"
- RIKA2.3gp - Recording 2 of RIKA FM 94.5 - 02/02/13 - 00:00:27 (Spanish) "...estas en sintonía con *RIKA FM la emisora oficial de los taxistas...*"
- RIKA3.3gp - Recording 3 of RIKA FM 94.5 - 02/02/13 – Repeating same song over and over for like 30 minutes.
- ACTIVA1.3gp - Recording of ACTIVA FM 94.9 - 02/02/13 - did not mention ACTIVA FM.

Exhibit 7
(7 pages)

notes 050313.txt

05/03/13 - MDFX1

Agent: Luis Roman

Pirate Investigation: 94.5 MHz,
94.9 MHz

Location of TX: New York, NY

Agent LR monitored, DFed
and measured the stations
transmitting out of the building
at 1370 Saint Nicholas Avenue.
94.5 MHz was transmitting the same
program over the air and streaming
on line (with a delay of about 20
sec).
94.9 MHz was transmitting only over
the air.

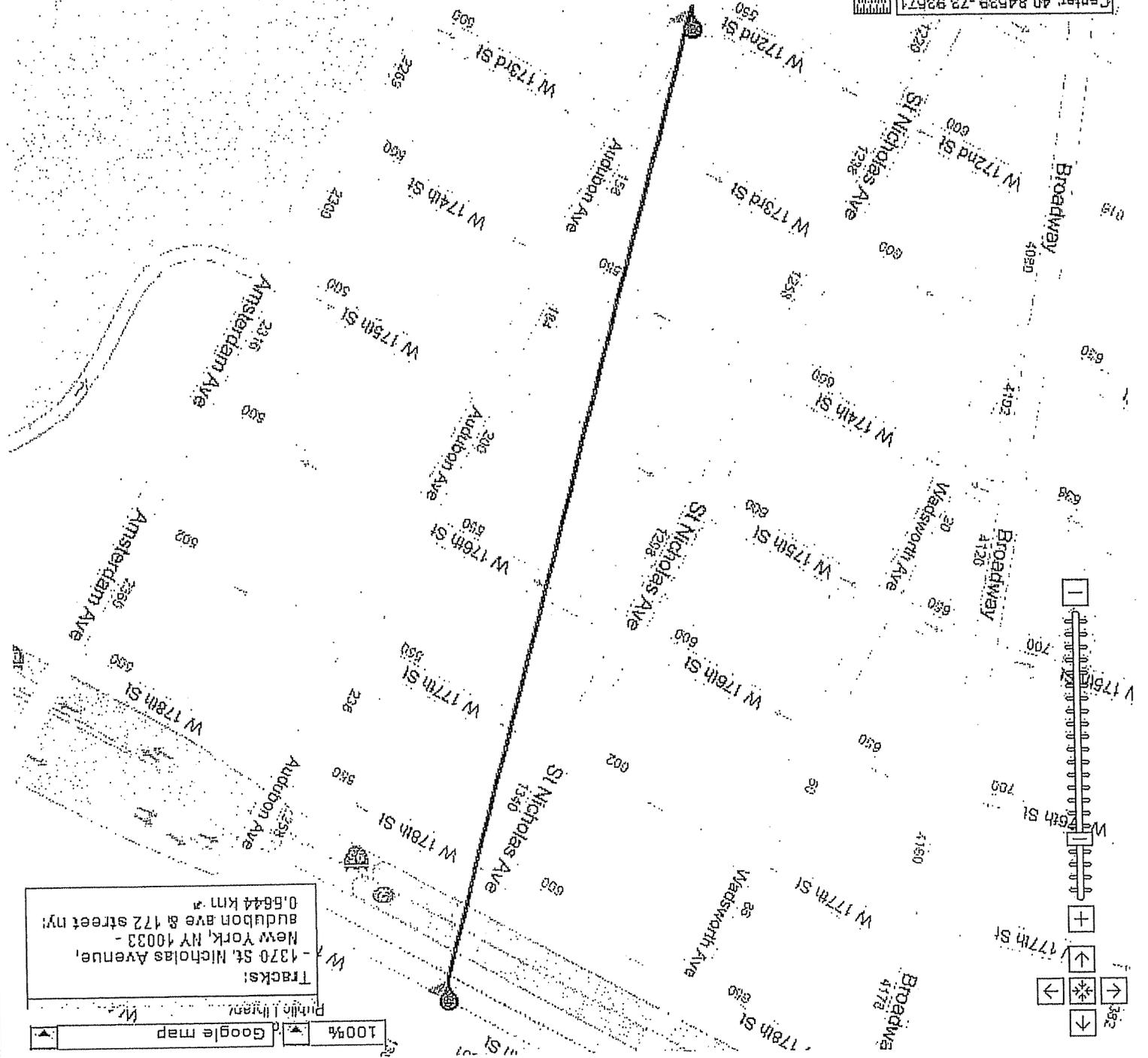
Measurements for 94.5 MHz (dBuV):
60.1, 62.5, 64.3, 63.4, 61.9

Measurements for 94.9 MHz (dBuV):
68.4, 67.9, 66.3, 65.8, 69.7

Location: intersection of Audubon
Avenue and W. 172nd Street.

Map created at GPSVisualizer.com
Map data ©2012 Google - Terms of Use

Center: 40.84839,-73.92871
Powered by Google
200 ft
100 m



Tracks:
- 1370 St. Nicholas Avenue,
New York, NY 10033 -
Audubon ave & 172 street ny;
0.6644 km

100%
Google map
Public layer

Potomac FIM-71 and Z-Tecnology R-507 Data Entry Screen

Use this column for entries

Meter Type:	R-507	<< Enter FIM-71 or R-507
Case Name:	Raul de la Rosa	
Case number:	EB-NER-12-000011141	
Date:	5/3/2013	
Agents:	LR	
Frequency, MHz:	94.50 MHz	
Cluster 1 measurement:	60.1 dB μ V	
Cluster 2 measurement:	62.5 dB μ V	
Cluster 3 measurement:	64.3 dB μ V	
Cluster 4 measurement:	63.4 dB μ V	
Cluster 5 measurement:	61.9 dB μ V	
Distance from measurement point to transmitting antenna:	1851.706 ft.	Distance OK

Frequency is within the 88 - 108 MHz measurement range

Authorized Field Strength at
3 meters is:

250 μ V/Meter

ANTENNA FACTOR db/m

7.5 db/m

Cable Loss

1.5 dB

TOTAL CORRECTION *

9.0

F12 MUST = ANT OFF

* = If above corrections are stored in Z-Meter, and Function 12 = "ON ANT"
then Total Correction = 0 dB/m and Antenna Factor in 'Results' = 1.0

Frequency is within the 88 - 108 MHz measurement range

**AVERAGE OF FIVE CLUSTER MEASUREMENTS WITH R-507
WITH MEASUREMENT ANTENNA AT A 7 FOOT HEIGHT**

Name Raul de la Rosa	Case Number EB-NER-12-000011141	Date 5/3/2013 LR
--------------------------------	---	-------------------------------

Data Inside the Box Has Been Entered by the Field Agent. Other Values Are Calculated. Agents:

Fundamental Frequency In MHz (valid for 88 to 108 MHz)	Cluster Meter Readings	For F12 = ANT OFF (μ V)
<u>94.90</u>	Reading 1	<u>2630</u>
	Reading 2	<u>2483</u>
Distance From Antenna in Feet	Reading 3	<u>2065</u>
<u>1.852</u>	Reading 4	<u>1950</u>
	Reading 5	<u>3055</u>

Distance OK

Average Cluster Meter Reading (μ V) 2,437	Antenna Factor For Z-Tech 7 Foot Curve From Data Entry Values 2.82	Measured Field Strength (μ V/m) 6,868
Distance From Antenna (meters) 564.4	Field Strength Extrapolated to 3 Meters (μ V/m) 1,292,021	Field Strength With Accuracy Allowance in Favor of the Subject (μ V/m) 853,630
Accuracy (db and decimal) 3.60 1.51	Legal Part 15 Limit At 3 Meters (μ V/m) 250.00	Operation Is X Times Legal Value 5,168

Put this value in the affidavit	1,292,021 (μ V/m) extrapolated
(Measured values, extrapolated to 3 meters.)	5,168 times the legal value

Violation Confirmed

Potomac FIM-71 and Z-Tecnology R-507 Data Entry Screen

Use this column for entries

Meter Type:	R-507	<< Enter FIM-71 or R-507
Case Name:	Raul de la Rosa	
Case number:	EB-NER-12-000011141	
Date:	5/3/2013	
Agents:	LR	
Frequency, MHz:	94.90 MHz	
Cluster 1 measurement:	68.4 dB μ V	
Cluster 2 measurement:	67.9 dB μ V	
Cluster 3 measurement:	66.3 dB μ V	
Cluster 4 measurement:	65.8 dB μ V	
Cluster 5 measurement:	69.7 dB μ V	
Distance from measurement point to transmitting antenna:	1851.706 ft.	Distance OK

Frequency is within the 88 - 108 MHz measurement range

Authorized Field Strength at
3 meters is:

250 μ V/Meter

ANTENNA FACTOR db/m

7.5 db/m

Cable Loss

1.5 dB

TOTAL CORRECTION *

9.0

F12 MUST = ANT OFF

* = If above corrections are stored in Z-Meter, and Function 12 = "ON ANT"
then Total Correction = 0 dB/m and Antenna Factor in 'Results' = 1.0

Frequency is within the 88 - 108 MHz measurement range

**AVERAGE OF FIVE CLUSTER MEASUREMENTS WITH R-507
WITH MEASUREMENT ANTENNA AT A 7 FOOT HEIGHT**

Name
Raul de la Rosa

Case Number
EB-NER-12-000011141

Date
5/3/2013
LR

Data Inside the Box Has Been Entered by the Field Agent. Other Values Are Calculated. Agents:

Fundamental Frequency In MHz (valid for 88 to 108 MHz)	Cluster Meter Readings	For F12 = ANT OFF (μ V)
<u>94.50</u>	Reading 1	<u>1012</u>
	Reading 2	<u>1334</u>
Distance From Antenna in Feet	Reading 3	<u>1641</u>
<u>1,852</u>	Reading 4	<u>1479</u>
	Reading 5	<u>1245</u>

Distance OK

Average Cluster Meter
Reading
(μ V)
1,342

Antenna Factor
For Z-Tech 7 Foot Curve
From Data Entry Values
2.82

Measured Field
Strength
(μ V/m)
3,782

Distance From
Antenna
(meters)
564.4

Field Strength
Extrapolated to 3 Meters
(μ V/m)
711,498

Field Strength With Accuracy
Allowance in Favor of the Subject
(μ V/m)
470,082

Accuracy
(db and decimal)
3.60
1.51

Legal Part 15 Limit
At 3 Meters
(μ V/m)

250.00

Operation Is
X
Times Legal Value

2,846

Put this value in the affidavit

711,498 (μ V/m) extrapolated

(Measured values,
extrapolated to 3 meters.)

2,846 times the legal value

Violation Confirmed



AF2 (Audio File.2)

Audio Files on enclosed CD

- RIKA4.3gp - Recording of RIKA FM 94.5 - 05/03/13 - 00:00:08 (Spanish) "...718-305-4154 es la línea telefónica en New York RIKA 94.5, la que tú controlas..."
- ACTIVA2.3gp - Recording of ACTIVA FM 94.9 - 05/03/13 - 00:03:25 (Spanish) "...solo en ACTIVA 94.9 FM y la animación bestial de Miguel el castigador ACTIVA 94.9, tú tienes el control..."

Exhibit 8
(3 pages)

notes 022912.txt

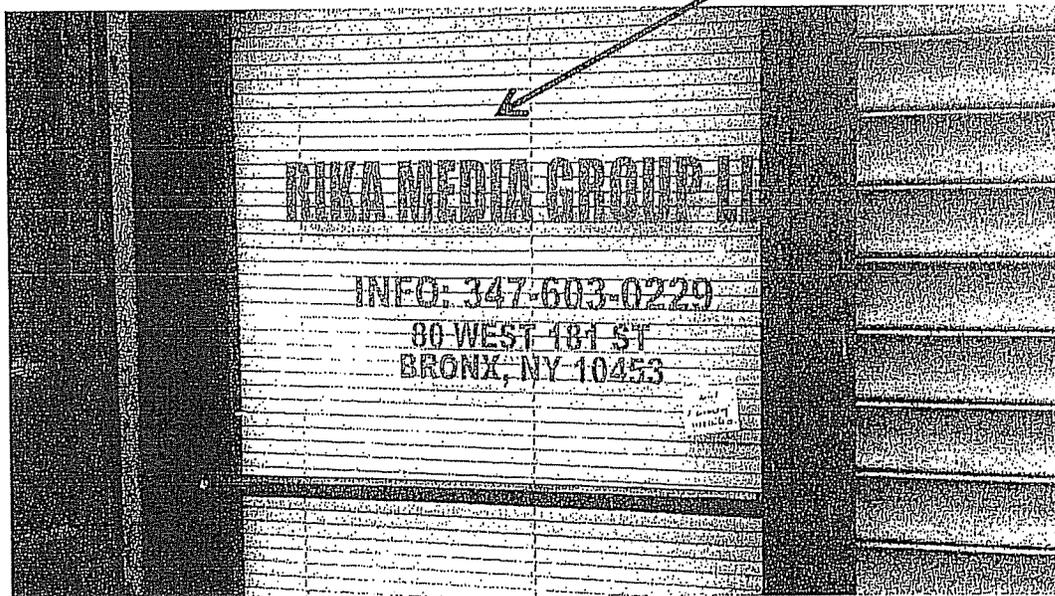
02/29/12 - MDFX1
Agent: Luis Salazar & Luis Roman
Pirate Investigation: 94.5 MHz,
94.9 MHz and 106.1 MHz
Location of studio: Bronx, NY

On February 29, 2012 agents LS and LR went to the studio's address 80 W 181 St. Bronx, NY 10453. The place was closed, the agents took pictures of the front of the building and a sign on the entrance door that reads "RIKA MEDIA GROUP, LLC INFO: 347-603-0229 80 WEST 181 ST BRONX, NY 10453". A worker from a tire shop Felix Flat Fixed besides the studio stated that they only work late in the afternoon and at night on weekdays and weekends and that they have like a DJ and music recording studio.

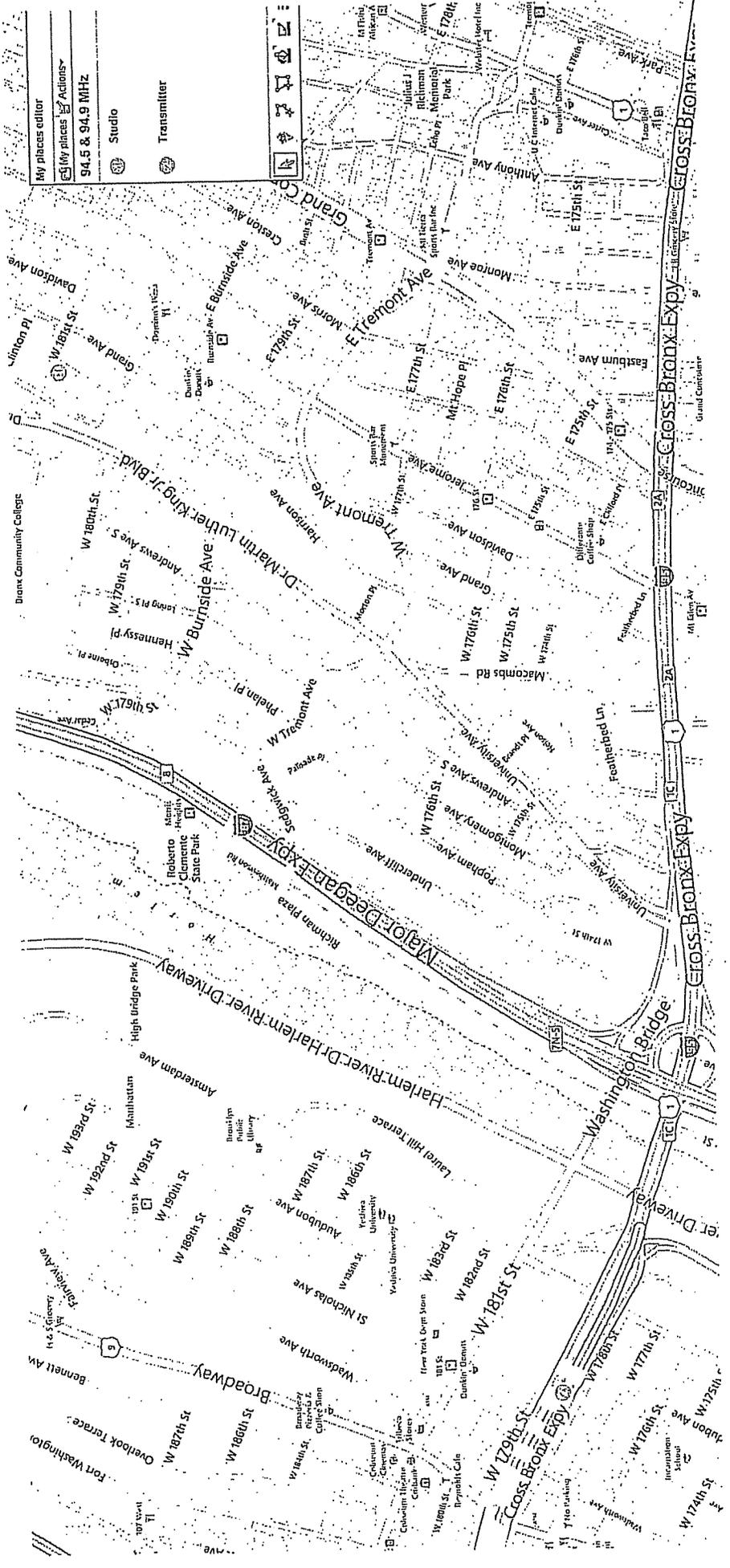
Pictures taken in front of the studio on February 29, 2012.
80 West 181 Street Bronx , NY 10453



Metal
door
closed



Metal
door
opened



My places editor

My places Actions

94.5 & 94.9 MHz

Studio

Transmitter

Exhibit 9
(1 page)

notes 062612

06/26/12 - MDFX1
Agent: Luis Salazar & Luis Roman
Pirate Investigation: 94.5 MHz
and 94.9 MHz
Location of studio: Bronx, NY

On June 26, 2012 agents LS and LR went to the studio's address 80 W 181 St, Bronx, NY 10453. No activity was noticed as the previous visit on February 29, 2012.

A mail woman was passing by and the agents asked her few question about the business "Rika Media Group, LLC". She stated that: before she used to get inside the building to leave the mail and she saw like a music recording studio inside. But lately the place is closed during her working hours so she was told to drop the mail at the tire shop "Felix Fix Flat" next to it.

10

Exhibit 10
(4 pages)

RITVA FM
La Que Tm Controlan
718 - 305 - 4154

RitvaFm.com

Pautar Con Frecuencia
Cada Show La Promo De
Programación.

...amiento La
... Por Ejemplo:

15 WAP







TRINITY
UNIVERSITY
1020 S. W. 15th St.
MIAMI, FL 33135

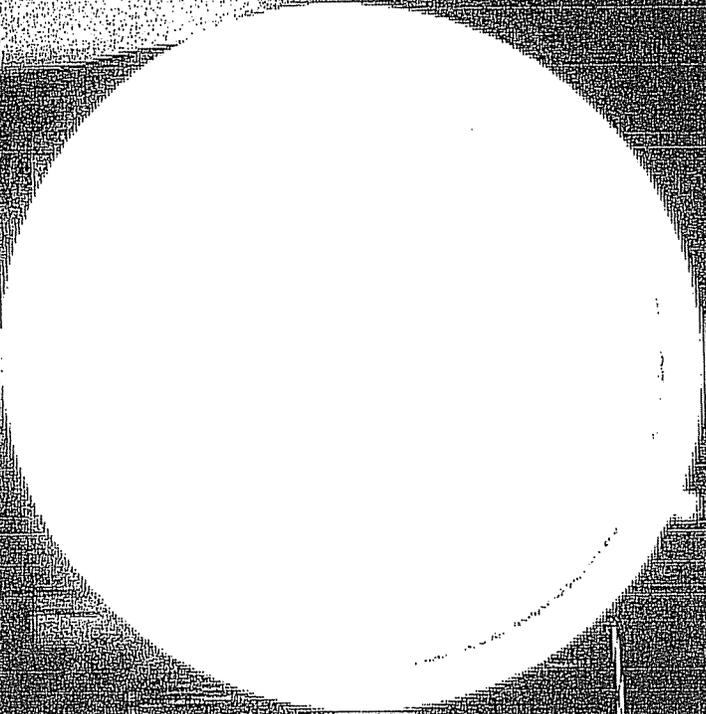
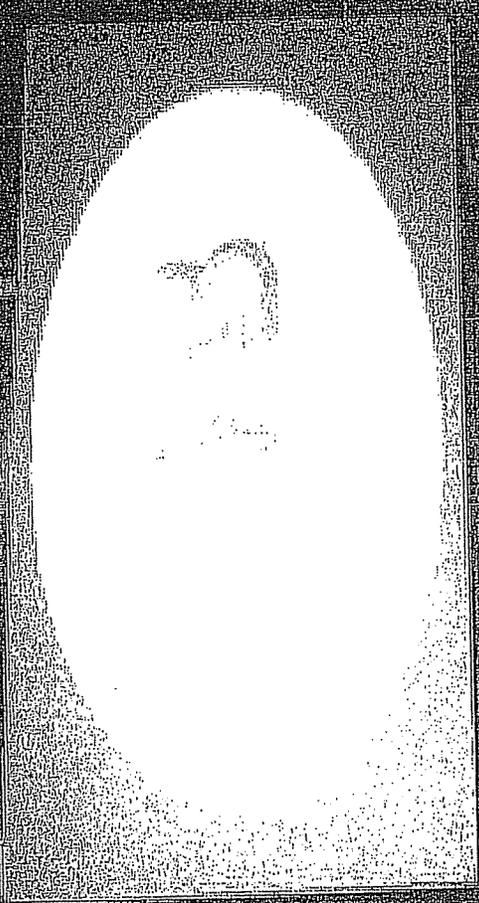


Exhibit 11
(4 pages)



December 07, 2012

VIA FACSIMILE & EMAIL (212-620-3718)

Luis Roman
FCC – New York
Federal Communications Commission
201 Varick Street
New York, NY 10014-4870

Re: **Subject Telephone No.: (718) 305-4164**
Subpoena No.: EB-FIELDNER-12-00001141

Dear Mr. Roman:

This is in response to the above-mentioned Letter of Investigation, issued by the Federal Communications Commission, dated November 06, 2012 (the "Letter of Investigation"). Attached hereto, please find the requested information from Vonage.

The address or addresses produced herewith reflect either the initial address where the equipment was shipped and/or the billing address provided by the subscriber currently listed in Vonage's records. Vonage does not use this address for billing purposes, as all billing is automatic through the credit card provided by the subscriber. As such, the address or addresses in the subscriber's records may not reflect the current residence of the subscriber, the current location of any communications equipment, or the origination of any VoIP communications. Vonage does not, and cannot, verify that these addresses are current, accurate or for that matter even exist.

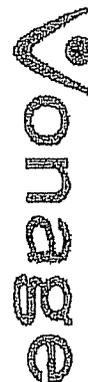
The information provided pursuant to this request is stored electronically. Accordingly, any documents provided herewith were created for the limited purpose of complying with this Letter of Investigation.

If you should have any additional questions or concerns, please feel free to contact me for further assistance.

Sincerely,

A handwritten signature in cursive script that reads 'Tramel Sumner'.

Tramel Sumner
Compliance Specialist II
Vonage Holdings Corp.
732-231-6705 (Office)
732-202-5221 (Fax)
Tramel.Sumner@vonage.com



Account Profile

Subject Telephone No.: (718) 305-4154 (1005708370)

Search Parameters: November 06, 2012 to December 07, 2012

ACCOUNT NUMBER	ACCOUNT NAME	ADDRESS	CITY	STATE	ZIP	PHONE NUMBER	DATE START	DATE END	ACCOUNT TYPE	STATUS
1005708370	AT&T	2013 VINE STREET	ALLENTOWN	PA	18103	1873255167	2/8/2009 11:52	3/19/2011 8:44	Residential	G
1005708370	AT&T	2013 VINE STREET	ALLENTOWN	PA	18103	17183054154	8/26/2007 0:00	4/19/2015 0:00	Residential	G

Vonage

Billing Profile

Subject Telephone No.: (718) 305-4154 (1005706370)
Search Parameters: November 06, 2012 to December 07, 2012

ACCOUNT NUMBER	NAME	ADDRESS	BILLING PERIOD	START DATE	END DATE	STATUS
1005706370	Amel Sanchez	2170 UNIVERSITY AVE APT 40101111, BROOKLYN, NY 11215	7/6/2012	12:59		A

SUBPOENA CERTIFICATE OF COMPLIANCE

I am responsible for the review of materials to identify those covered by the Federal Communications Commission's subpoena, dated NOVEMBER 06, 2012, in _____ I certify that I received and accepted service of the foregoing subpoena. All materials in the possession, custody, and control of the person or business to which the subpoena is directed that are covered by the subpoena have been produced and given to a representative of the FCC, and, if copies were given instead of originals, all materials were accurately and completely copied. No materials have been withheld except those that have been identified to the FCC's representative, who has also been given an explanation of the reason why they were not produced.

I declare, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct.

Executed on 12/07/2012, 2012

Signature Tramel Sumner

Title COMPLIANCE SPECIALIST II

Printed Name TRAMEL SUMNER

Address 23 MAIN STREET

Address HOLMDEL, NJ 07733

Telephone Number (732) 231-6705

E-mail TRAMEL.SUMNER@VONAGE.COM

Exhibit 12
(16 pages)

Company: InfnitSound.com

Postal address:

Rika Media Group, LLC

80 W 181 Street

Bronx, NY 10453

President CEO:

Ariel Sánchez

Phone: 347-603-0229

DJ Antony

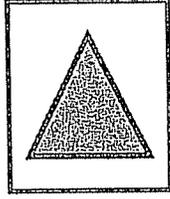
*Anthony, spelling error

Warehouse manager

Tomás Tate (Plátano)

Internet link:

<http://infnitsound.com/contact/>



BACK



Shop

Get in Touch.

POSTAL ADDRESS

Rika Media Group LLC.
80W 181st
Bronx, NY, 10453.

Office: +1 628 564 RIKK
FAX: +1 888 564 RIKK
E-mail: info@infnitsound.com

We are available 24/7

President CEO: Ariel Sanchez
Contact 347-603-0229

InfnitSound's Engineers:
Erick Liz (bolijac)
Tatirado Berroa (El Socio)
Killy Paulis (Simenz)
TonJan

Disjockeys:
dj bambino
dj nese
dj antony

Warehouse manager's
Tomás Tate (plátano)
Andy Roman (B3)

Public Relations, Sales Manager:
Pedro Aquino
contact: 917-708-7496

Web Master, Company design:
RG Power Design

for a quick response (a. a. contact form):

Name

Email

Subject

Message



Facebook User Name:

Ariel Sánchez

Mentions:

Rika FM

“La Que Tú Controlas” (station’s slogan)

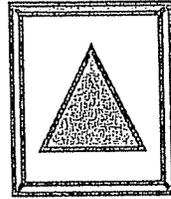
Infinit Sound

Mexicanisima FM

Activa FM

Internet link:

<https://www.facebook.com/Rikafm94#!/Rikafm94?sk=info>



BACK

Search for people, places and things

Rika FM
www.RikaFm.com

Ariel Sanchez (La Que Tu Controlas)
in Works! at Infinit Sound - Studied at Lehman College - Lives in New York, New York - New York - New York - Born on January 1

Wall | Info | Photos | Friends

Work and Education

- Infinit Sound
- Lehman College
Class of 1999 - New York, New York
- George Washington High School
Class of 1995 - San Francisco, California

Employers

Colleges

High School

Activities and Interests

- Other: Rika FM, Mexicanisima Fm, Activa Fm

Basic Information

Interested In: Men and Women

Contact Information

Facebook: <http://facebook.com/Rikafm94>

Friends (376)

- Batazo Es Un S...
- Anthony Guzman
- Chulo Jay
- Eric Liz
- Jesenia Martinez
- Ariel Tesla Sanc...
- Fragancia Abreu
- Arielys Sanchez
- Aurie Sanchez...
- Eric Liz Don Botl...

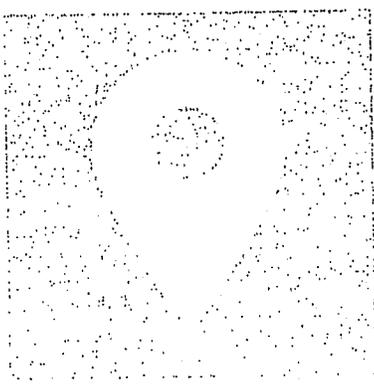
1 -> Chat (Offline)

<https://www.facebook.com/Rikafm94>

7/29/2012

Me gusta

▼



Rika 94.5

Negocio local

LIVE

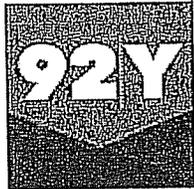
Bronx

A 2 personas les gusta esto

10 personas estuvieron aquí

Mayormente nublado 7 °C

Lugares cerca de Rika 94.5



92nd Street Y

Escuela de artes escénicas · Sala de conciertos · Organización comunitaria

1395 Lexington Avenue, Nueva York 10138

A 29.897 personas les gusta esto

8.621 personas estuvieron aquí

Founded in 1874 by a group of visionary Jewish leaders, 92nd Street Y has gro...

Me gusta



kasike mofongo house (official website)

Restaurante · Lounge

2458 webster ave (188th street), Bronx 10458

A 545 personas les gusta esto

2.620 personas estuvieron aquí

Me gusta



Morris Park

Comunidad

Morris Park Ave. and Morris Park area., Bronx 10451, 10462

A 4.565 personas les gusta esto

2.219 personas estuvieron aquí

For more information about Morris Park, please visit: <http://en.wikipedia.org/wiki/...>

Me gusta



Cliffside Park

Ciudad

A 2.123 personas les gusta esto

9.381 personas estuvieron aquí

<p>Cliffside Park is a borou...

Me gusta

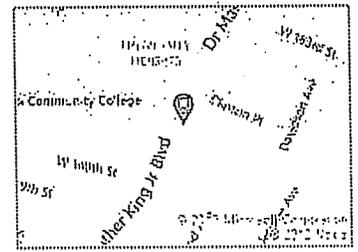
¿Quieres hacer clic en "Me gusta" en esta página?

Regístrate en Facebook para empezar.

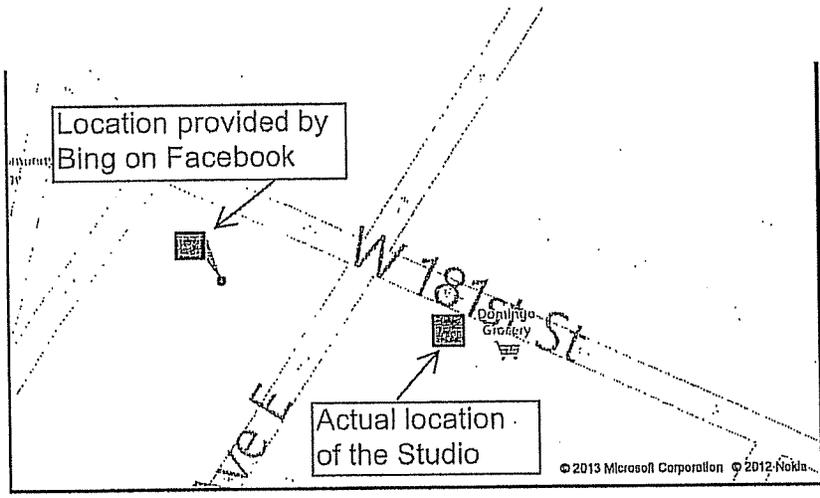


Es gratis y cualquiera puede unirse. ¿Ya eres miembro? Entrar.

Mapa



Print this page in a more readable format; Click Print next to the upper-right corner of the map.



MySpace.com

User Name: RikaFM

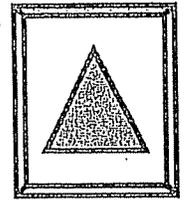
Employee's pictures

Internet link:

<http://www.myspace.com/rikafm/photos/2185012#%7B%22imageId%22%3A21> (no longer active)



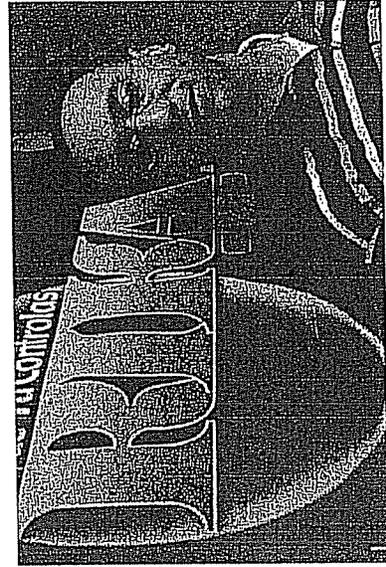
Ariel Sanchez (left)



BACK



Isaura (Ysaura) Hernandez



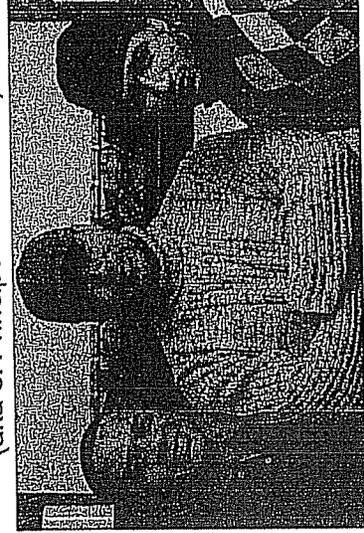
DJ Anthony



DJ Tomás Tate aka Plátano (left)
with Isaura Hernandez



Luis Jimenez Publicidad (left)
(aka el Principe de la Radio)

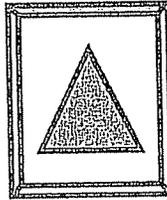


El Comandante Jorge (center)

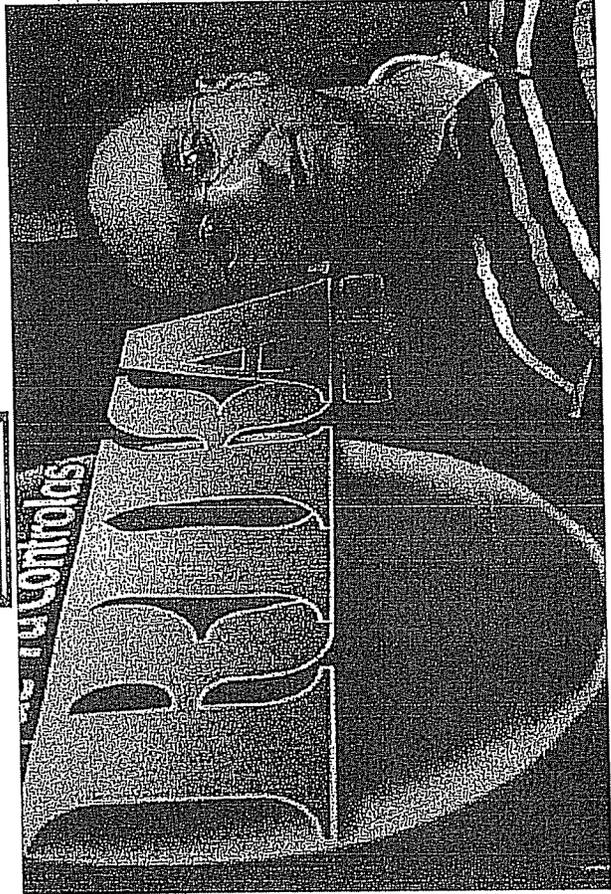
MySpace.com

User Name: DJ Anthony
Mentions: Infnit Sound, Rika 94.5

Internet link:
<http://www.myspace.com/djanthonynyc/photos> (no longer available)

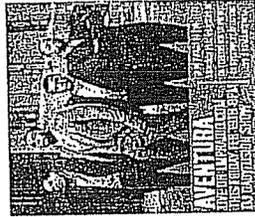


BACK



Search Photos

everybody's moving to metro



- Profile
- Photos
- Playlists
- Stream
- Friends
- Comments
- Life

R.I.P DJ DARI INFINIT SOUND LRM 7-4-08's Photos

Photos

Albums
Photos



LOS ADOLESCENTES @...

1 Photo, Oct 6 2009

2

3



My Photos,

32 Photos, Feb 27 2007

MySpace.com

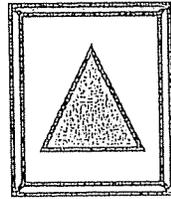
User Name: Jimenez Publicidad (also known as "el Principe de la Radio")

Schedule mentioning:

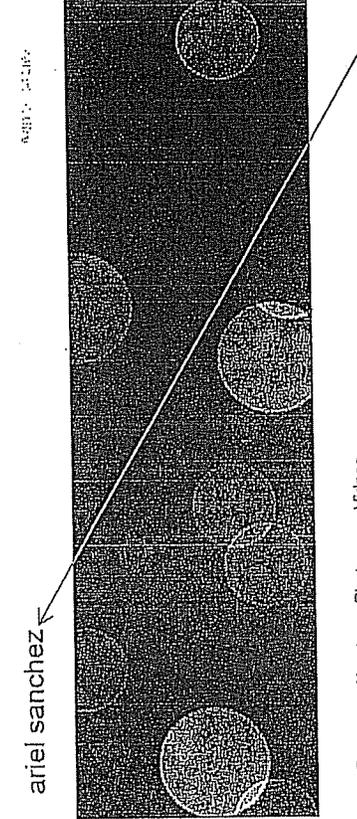
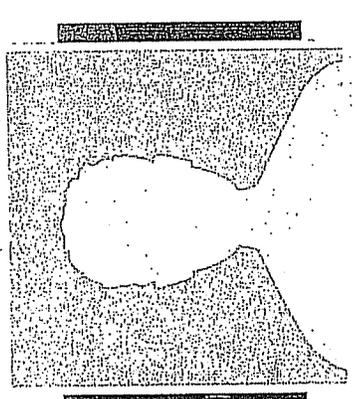
Rika FM 94.5, Isaura Hernandez, Jimenez Publicidad (el Principe de la Radio), El Comandante Jorge, Office phone #: 347-394-7755 and Studio phone #: 718-305-4154.

Internet link:

<http://www.myspace.com/elprincipe delaradio/photos/1946282#%7B%22ImageId%22%3A1946044%7D>
(no longer available)



BACK



Posts About Photos Videos
 Works at Rika Media Group

People in ariel's circles

You can add these people to your circles or see which of your circles you've already added them to.

Relevance ▾

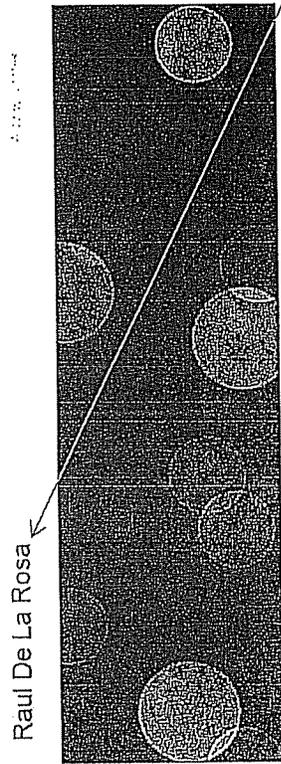
	Anthony Djelba...		andy roman coel		Eudys Martinez M.S. STUDIO
	candelario de l...		eric liz		Rika Fm Radio Station
	Raul De La Rosa HostFormula.com		Henry Adames		Carlos De la Ro... Someone Cool & Hi...
	Rafael Sanchez		Francisco Burg...		

In this slide it is shown links among:
 Ariel Sánchez,
 Rika Media Group,
 Rika FM and
 Raúl De La Rosa (HostFormula.com)

Rika Fm
 Jonathan Nova
 Indhira baez
 Anthony Djelba...
 Raul De La Rosa
 Josepina-Martinez

Report this profile

Settings • Help • Send feedback



In this slide it is shown links among:

Raúl De La Rosa (HostFormula.com), Ariel Sánchez (Rika Media Group) and Tomás Tate

Works at HostFormula.com
 Lives in Bronx, NY

Posts About Photos Videos



Raul De La Rosa
 So the smart ones have to pretend to be as dumb as the rest in order to get hired?

People in Raul's circles

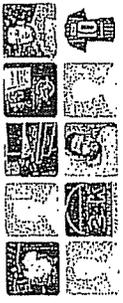
You can add these people to your circles or see which of your circles you've already added them to.

Relevance -

- Raul De La Rosa (New York City)
- Tomas Tate
- Rafael Sanchez
- Alex Loja (NEW YORK)
- Project Glass (Thoughts, designs...)
- ariel sanchez (Rika Media Group)
- merlyn acosta
- Jose Rodriguez
- Reynaldo Villegas...
- Belkys bernard

- 25 IN HIS CIRCLES
- Rafael Sanchez
 - MELVIN FERMIN
 - Alex Loja
 - ariel sanchez
 - Rafael R.G.
 - ANTHONY D.J.

26 HAVE HIM IN CIRCLES



ewhois rikafm.com
Rikafm.com



Log's Register

Document

Domain Name: rikafm.com (view whois)
IP Address: 174.121.0.60
Location: Near Dallas, Texas (US)
276 other sites hosted on this IP address
Group's Address: EA-44897662
13 other sites hosted this IC
Admin Email: 351716@route.arizona.net
Last Updated: 2012-08-01 Refresh

Reverse IP (276) Reverse Analysis (13) Whois Record DNS Dynamic Keywords

Whois Record

Domain Name: rikafm.com
Registrar: Ariel Sanchez
Created: 2007-06-23
Expires: 2013-06-23
Updated: 2012-06-24
Name Servers: NS1.RGPOWERHOSTING.COM
NS2.RGPOWERHOSTING.COM
Registrar: GODADDY.COM, LLC
Whois Record:
Ariel Sanchez
2110 Dr Martin L King Jr Blvd
Bronx, New York 10462
United States
Registrant Contact:
Ariel Sanchez
2110 Dr Martin L King Jr Blvd
Bronx, New York 10462
United States
NS1.RGPOWERHOSTING.COM
NS2.RGPOWERHOSTING.COM
Registrar Contact:
Ariel Sanchez
2110 Dr Martin L King Jr Blvd
Bronx, New York 10462
United States
NS1.RGPOWERHOSTING.COM
NS2.RGPOWERHOSTING.COM

Information from the website
ewhois.com

Domain: Rikafm.com

Registrant: Ariel Sánchez
(djagresivo@hotmail.com)

IP address: 174.121.0.60

Name servers:
NS1.RGPOWERHOSTING.COM
NS2. RGPOWERHOSTING.COM

Registrar: GODADDY.COM, LLC

Ariel Sánchez: Rika Media Group,
LLC and InfnitSound.com both
located in same address in the
Bronx, NY where the studio is.

Infinitound.com

Domain Name: Infinitound.com (Web site) 1
 IP Address: 174.121.0.35
 Reverse IP: 174.121.0.35
 Whois: www.whois.com/whois/174.121.0.35
 Search Analysis ID: UA-4897663
 Last Update: 2013-09-05
 Last Update: 2013-09-05

Reverse IP (22)	Reverse Analytics (13)	Whois	DNS	Organic Keywords
Whois Record				
Domain Name: Infinitound.com				
Registrar: NameCheap				
Created: 2009-03-30				
Expires: 2013-03-30				
Updated: 2012-03-02				
Name Servers: NS1.HOSTFORMULA.COM				
NS2.HOSTFORMULA.COM				
Registrar: GODADDY.COM, LLC				
Registrar Information: Registrar: GODADDY.COM, LLC Registrar URL: http://www.godaddy.com Registrar Email: Registrar@godaddy.com Registrar Phone: 480-688-8700 Registrar Fax: 480-688-8701 Registrar Address: 14455 North Tatum Avenue, Suite 110, Dallas, TX 75244, United States				
Registrar Information: Registrar: GODADDY.COM, LLC Registrar URL: http://www.godaddy.com Registrar Email: Registrar@godaddy.com Registrar Phone: 480-688-8700 Registrar Fax: 480-688-8701 Registrar Address: 14455 North Tatum Avenue, Suite 110, Dallas, TX 75244, United States				
Registrar Information: Registrar: GODADDY.COM, LLC Registrar URL: http://www.godaddy.com Registrar Email: Registrar@godaddy.com Registrar Phone: 480-688-8700 Registrar Fax: 480-688-8701 Registrar Address: 14455 North Tatum Avenue, Suite 110, Dallas, TX 75244, United States				

Information from the website
ewhois.com

Domain: Infinitound.com

Registrant: Ariel Sánchez
(djagresivo@hotmail.com)

IP address: 174.121.0.35

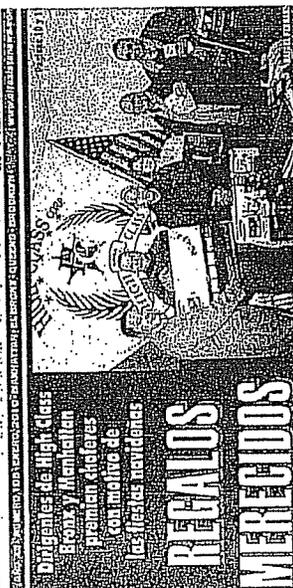
Name servers:
NS1.HOSTFORMULA.COM
NS2.HOSTFORMULA.COM

Registrar: GODADDY.COM, LLC

Ariel Sánchez: Rika Media Group, LLC and Infinitound.com both located in same address in the Bronx, NY where the studio is.

EL TAXISTA

Dirigentes de High Class Bronx y Manhattan premian a otros con motivo de las fiestas navideñas



REGALOS MERECIDOS

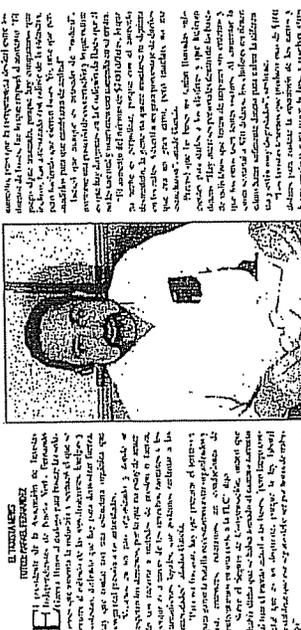
Policias llamados se han banquetado en Santa Mónica Ave. y 101st del alto Manhattan

José Allierio espera seguir consolidándose en el 2010.

El Taxista se consolida en el 2010.

El Taxista se consolida en el 2010.

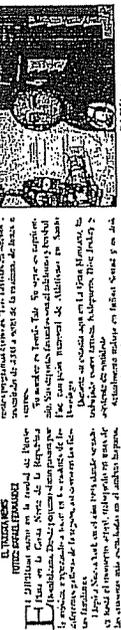
Presidente Asociación Independiente Taxistas llama al diálogo para soluciones



EL TENDRÁ UNO DE LOS
 El presidente de la Asociación Independiente de Taxistas, Rafael Fernández, llamó al diálogo para encontrar soluciones a los problemas que enfrenta la comunidad taxista en el país.
 Fernández, quien fue elegido presidente en el mes de agosto, dijo que el diálogo es la única vía para resolver los problemas que enfrenta la comunidad taxista en el país.
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El presidente de la Asociación Independiente de Taxistas, Rafael Fernández, llamó al diálogo para encontrar soluciones a los problemas que enfrenta la comunidad taxista en el país.
 Fernández, quien fue elegido presidente en el mes de agosto, dijo que el diálogo es la única vía para resolver los problemas que enfrenta la comunidad taxista en el país.

DJ Plátano: un triunfador en la Gran Manzana



EL TENDRÁ UNO DE LOS
 El DJ Plátano es un triunfador en la Gran Manzana. Su nombre es Tomás Tate. Su signo es capricornio. Sus deportes favoritos son el atletismo y béisbol. Fue campeón nacional de Atletismo en Santo Domingo.
 Durante su estadía aquí en La Gran Manzana, ha trabajado como taxista, bodeguero, Disc Jockey y asistente de sonidista.
 Actualmente trabaja en Infnit Sound y es disc jockey en Rika FM.

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EL TAXISTA NEWS

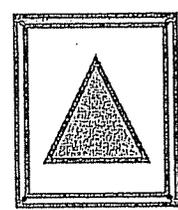
El Taxista News es un periódico que se publica en español y que trata de los problemas de la comunidad taxista en el país.

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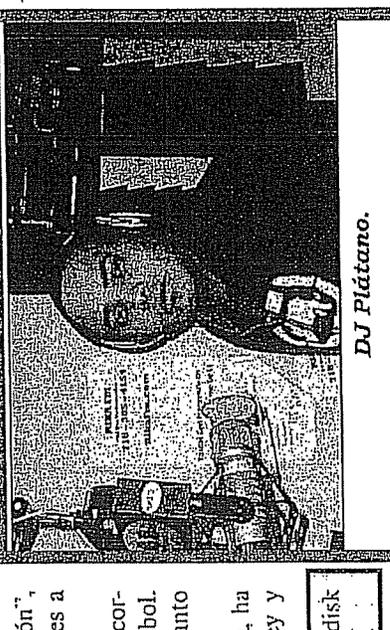
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DJ Tomás Tate (Plátano)
 Newspaper article:
 "El Taxista" Publication
 #196 January 2010 pg. 6
 Mentions: Rika FM,
 InfnitSound
 Internet link:
<http://issuu.com/victorteja>
[da/docs/eltaxistanews1](http://docs/eltaxistanews1)



BACK

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DJ Plátano.

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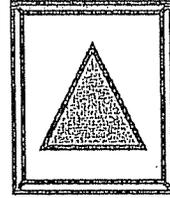
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Fundación Educación Calzada
(Education with shoes Foundation)

Article on the web June 19, 2008

Mentions: Rika FM, Ariel Sánchez, El
Comandante Jorge, Isaura
Hernandez, Jimenez Publicidad, DJ
Plátano and DJ Agresivo.

Internet link:
[http://educacioncalzada.blogspot.com/
2008/06/emisora-rika-fm-se-une-
educacin-calzada.html](http://educacioncalzada.blogspot.com/2008/06/emisora-rika-fm-se-une-educacin-calzada.html)



BACK

Fundación Educación Calzada

Jueves, 19 de junio de 2008
Emisora RIKa FM en New York realiza operativo a favor de niños dominicanos



Niños de una de las escuelas beneficiadas en RD

Fundación Educación Calzada entregará zapatos recolectados a niños en barrios marginados

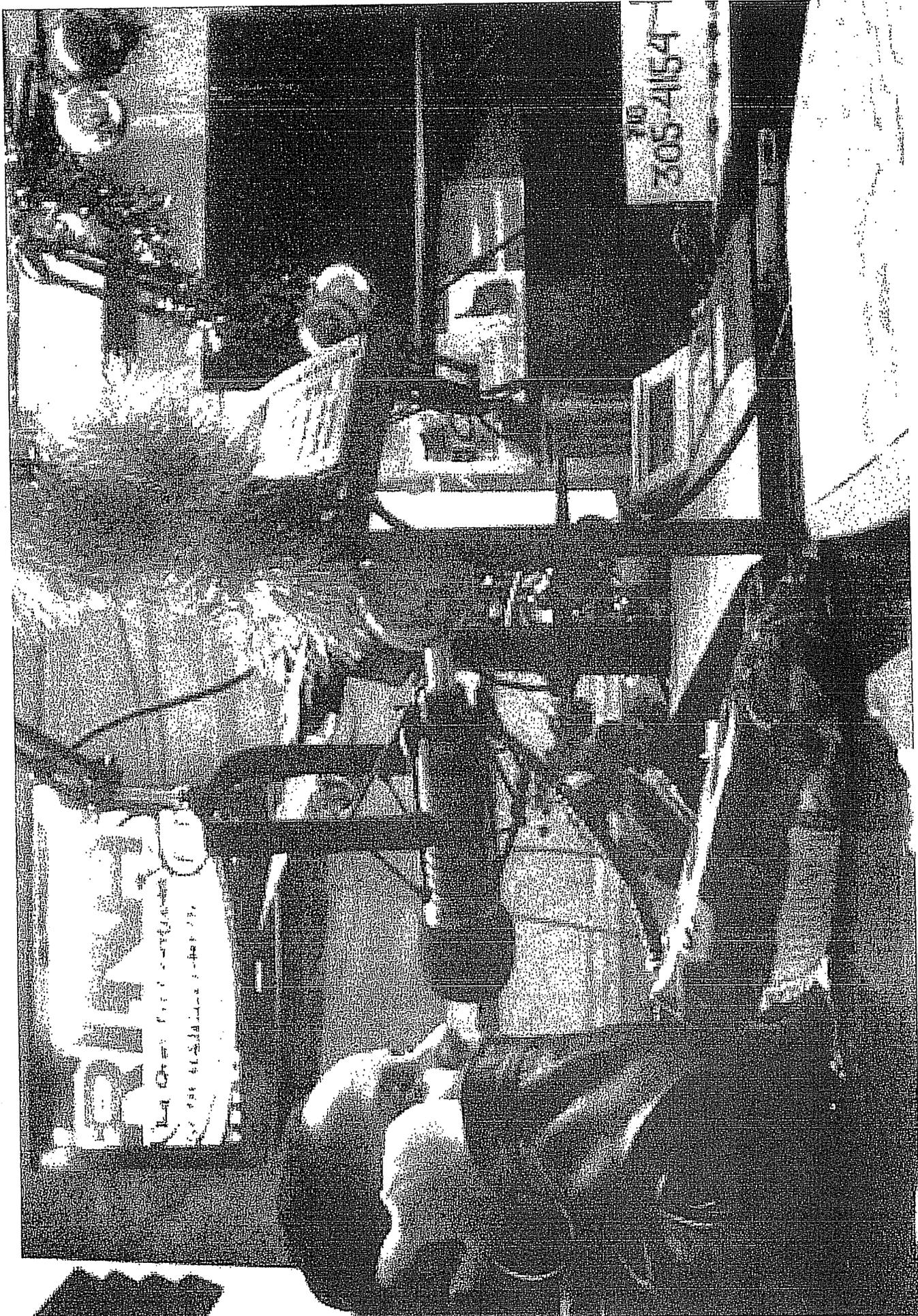
El equipo de trabajo de la emisora Rika FM en Nueva York que dirige el señor Ariel Sánchez, se une a la campaña "Dona los zapatos que no uses" que realiza cada año la Fundación Educación Calzada a favor de la niñez menos favorecida de la República Dominicana.

Famosos de la talla de Jerry Rivera, Aljadaqui, Anthony Álvarez, Sin Secretos, Ninoshka, Willy Lapache, Voz a Voz, Karen, Héctor Acosta, Gio, Rosmery Almonte "Bokita", José Fernando, William Díaz, Octavio de la Rosa, y Wason Brasobán, así como dueños ocultos y cientos de colaboradores se han unido a esta hermosa labor social.

Los productores de los programas "Romances" y "Domingo Encendio", los locutores Dj Edgar y el comandante Jorge junto a su equipo, cederán sus respectivos espacios para hacer el llamado a la sensibilidad de sus oyentes a que se den cita el próximo domingo 22 de Junio en Montecarlo Room, ubicado en el 2700 de Kingsbridge casi esquina 185 street en el Bronx, en una transmisión en vivo desde las afueras de este hermoso lugar a partir de las 12 del mediodía y lleven un par de zapatos.

Junto a ellos se unirán los demás productores y conductores de los diferentes espacios de la emisora para compartir con sus oyentes quienes tendrán la oportunidad de contribuir a la felicidad de un niño de escasos recursos de la República Dominicana, llevando un par de zapatos escolares y al mismo tiempo tener la oportunidad de enviar un saludo a sus familiares a través de Rika FM 94.5 cuyo slogan es "La que tu controlas".

Isaura Hernández, Jiménez Publicidad, DJ Papa, El Chico Hedí, y la Potencia, Chico Hollywood, Miguelito Áquila, DJ Picapiedra, DJ Salvador, DJ Plátano, DJ Agresivo, Dj Crazy y muchos más estarán aportando su granito de arena en una tarde cargada de buena música.



<http://www.ustream.tv/recorded/27836115>

Exhibit 13
(1 page)

notes 022813.txt

02/28/13 - MDFX1
Agent: Luis Salazar & Luis Roman
Pirate Investigation: 94.5 MHz,
94.9 MHz
Location of Studio: Bronx, NY

LR & LS went to the site of the studio at 80 W 181 Street Bronx, NY 10453.

They monitored the stations 94.5 MHz and 94.9 MHz which starting transmitting at 5:00 PM.

Minutes before that the agents observed about 8 people getting inside and they didn't come out except one of them that got out several times to talk on his cell phone and smoke a cigarette.

The agents noticed that the business has expanded and they took over the tire repair that was located next to them before. There is also a store that sells audio equipment, cell phones and electronics in general which is part of the entire business "Infinite Sound".

Three phone numbers were advertised on their sign outside:

646-377-0958

347-372-9365

347-603-0229

(the last one also shown on the door to the front left entrance). They have a camera at one of the entrances, the one with the main traffic.

The agents observed three vehicles coming at different times between 5:30 PM and 7:00 PM and their model/plate numbers were:

Jeep/NY JDL6777

Taxi/T601268C

Honda/NY FSM6321

The agents walked by the entrance several times to see if they could see or hear something, but everything seems to be happening in the back of the store.

The program from 5:00 PM to 7:00 PM was conducted by Many Rodriguez & Freddy Antonio and the program that started at 7:00 PM was conducted by Jimenez Publicidad (one of the DJs).

Exhibit 14
(1 page)

notes 030413.txt

03/04/13 - office
Agent: Luis Roman
Pirate Investigation: 94.5 MHz,
94.9 MHz
Phone conversation with Alberto
Payero

Agent Luis Román called back
Alberto Payero (646-353-2155)
who left a voice mail in relation
to another pirate station on 93.7
MHz in Paterson, NJ.

He stated:

"There is a pirate in
Paterson, NJ operating on 94.3 MHz,
which has the same programing
transmitted on 94.5 MHz - RIKA-FM
in NY.

The station belongs to Wellington
Espinal who was deported like 4
years ago and he is back in US.

He is co-owner with Ariel Sánchez
owner of 94.5 MHz (RIKA-FM) and
94.9 MHz (ACTIVA) transmitting in
NY and with the studios in 80 W
181 Street Bronx, NY 10453.

I was there last week and they have
three separated rooms for the three
stations they have.

They have the outside doors always
closed and the doors to enter the
studios with a code, only people
that work on those studios know it.

The address of their station in
Paterson, NJ is 326 30 Street.

The antenna cannot be seen from the
street but I can take you there
personally and show it to you.

These people are boycotting all my
events in NJ and besides they have
threatened me with death if I say
something.

Please do not mention my name
anywhere."

Exhibit 15
(2 pages)

Apple Community Broadcasting, Inc.
41 Kathleen Crescent
Coram, NY 11727

Federal Communications Commission
Attn: Mr. Louis Roman

March 02,2013

Dear Mr. Roman,

As per our telephone discussion in the past regarding the interference from the illegal broadcaster (pirate) in the Bronx broadcasting on 94.9fm, I am writing to you because this same pirate continues to increase his power and is wiping out the signal from translator W235BB frequency 94.9mhz Hauppauge NY. This is the translator that we receive "off air" to rebroadcast on our translator W268AN frequency 101.5 Plainview NY.

We ask that you track down this pirate once again and remove the equipment that they are using as they are not licensed to have it in use. We have the pirates cell phone # as we have contacted him direct and have asked him to shut down this illegal operation. As well as broadcasting illegally, he is selling air time to people and running commercials for a profit. I feel the IRS should be contacted once he is caught as he should have to pay taxes on monies earned that were not reported.

Please contact us at the below listed numbers should you need to discuss further.

Michael Celenza (631) 965-0816

Tammy Celenza (516) 429-8340

We thank you for your time and attention to this matter.

Sincerely,

Michael Celenza
President

Luis Roman

From: Michael Celenza <celenzacomm@optonline.net>
Sent: Monday, March 25, 2013 4:54 PM
To: Luis Roman
Subject: PIRATE BRONX 94.9

Hello Mr. Roman

As per our conversation and my letter complaining about existing interference to the input signal of fm translator from a pirate radio station on 94.9 mhz. coming from the Bronx area .Over last couple years we have done multiple things to prevent this pirate from interfering with our signal from changing our antenna to realigning our antenna changing heights and with our last attempt seems to have helped us with a combination of things but it seems to still be on the air and they dont belong there about a year ago the pirate had given out a phone number for request and contest and i called 718-502-9987 and had asked them to shut down his illegal operation and he hung up i tried a second time and he told me he leases this frequency from another guy which he gave me his number he said all he does is send his audio via a ip address and the transmitter guy receives it and puts it on air from transmitter location i called transmitter guy up at 347-603-0229 his answering machine says you have reached Airl Sanchez i had spoken to Mr. Sanchez 2 times and both times he said he would shut it down but seems like he increased power every attempt i called. I appreciate anything you can do to eliminate this pirate

Thanks

Michael Celenza

Exhibit 16
(6 pages)

notes 120213.txt

12/02/13 - MDFX8

Agents: Stephen Maguire & Luis Roman
Pirate Investigation: 94.5 & 94.9 MHz
Location: New York, NY

On December 02, 2013 Agents Stephen Maguire and Luis Roman went to the location at 1370 Saint Nicholas Avenue New York, NY 10033 and observed that the antennas were still on the top apartment #32N but they were located in different position than previously observed. Agents went to the management office to let them know that the agents will go on top of the roof later on and they needed somebody to deactivate the alarms system when that is done. Agents monitored the stations and they both started to operate at 5:00 pm. Agents went to 47 Boscobel Place, Bronx, NY 10452 and took measurements:
94.5 MHz: 65.5, 68.6, 64.5, 68.9 & 66.3 dBuV
94.9 MHz: 64.3, 62.2, 64.8, 67.1 & 68.9 dBuV
Agents went back to the building and went on top of the roof with an spectrum analyzer to make sure the stations were transmitting out of the same apartment and that was confirmed.



Map data ©2013 Google

**HOW DO YOU FEED THE PLANET?
CREATE A BETTER
GROWING ENVIRONMENT.**
AgriSense solutions from Case IH




LEARN MORE

Total Distance: 2967.152 Miles km Nautical Miles Metres Feet Autopan ?

-
-
-
-
-

Potomac FIM-71 and Z-Tecnology R-507 Data Entry Screen

Use this column for entries

Meter Type:	R-507	<< Enter FIM-71 or R-507
Case Name:	Raul de la Rosa	
Case number:	EB-NER-12-000011141	
Date:	12/2/2013	
Agents:	LR	
Frequency, MHz:	94.50 MHz	
Cluster 1 measurement:	65.5 dB μ V	
Cluster 2 measurement:	68.6 dB μ V	
Cluster 3 measurement:	64.5 dB μ V	
Cluster 4 measurement:	68.9 dB μ V	
Cluster 5 measurement:	66.3 dB μ V	
Distance from measurement point to transmitting antenna:	2967.152 ft.	Distance OK

Frequency is within the 88 - 108 MHz measurement range

Authorized Field Strength at
3 meters is: 250 μ V/Meter

ANTENNA FACTOR db/m	7.5 db/m	
Cable Loss	1.5 dB	
TOTAL CORRECTION *	9.0	F12 MUST = ANT OFF

* = If above corrections are stored in Z-Meter, and Function 12 = "ON ANT"
then Total Correction = 0 dB/m and Antenna Factor in 'Results' = 1.0

Frequency is within the 88 - 108 MHz measurement range

**AVERAGE OF FIVE CLUSTER MEASUREMENTS WITH R-507
WITH MEASUREMENT ANTENNA AT A 7 FOOT HEIGHT**

Name
Raul de la Rosa

Case Number
EB-NER-12-000011141

Date
12/2/2013
LR

Data Inside the Box Has Been Entered by the Field Agent. Other Values Are Calculated. Agents:

Fundamental Frequency In MHz (valid for 88 to 108 MHz)	Cluster Meter Readings	For F12 = ANT OFF (μV)
<u>94.50</u>	Reading 1	<u>1884</u>
	Reading 2	<u>2692</u>
Distance From Antenna in Feet	Reading 3	<u>1679</u>
<u>2.967</u>	Reading 4	<u>2786</u>
	Reading 5	<u>2065</u>

Distance OK

Average Cluster Meter
Reading
(μV)
2,221

Antenna Factor
For Z-Tech 7 Foot Curve
From Data Entry Values
2.82

Measured Field
Strength
($\mu V/m$)
6,260

Distance From
Antenna
(meters)
904.4

Field Strength
Extrapolated to 3 Meters
($\mu V/m$)
1,887,127

Field Strength With Accuracy
Allowance in Favor of the Subject
($\mu V/m$)
1,246,813

Accuracy
(db and decimal)
3.60
1.51

Legal Part 15 Limit
At 3 Meters
($\mu V/m$)
250.00

Operation Is
X
Times Legal Value
7,549

Put this value in the affidavit

1,887,127 ($\mu V/m$) extrapolated

(Measured values,
extrapolated to 3 meters.)

7,549 times the legal value

Violation Confirmed

Potomac FIM-71 and Z-Tecnology R-507 Data Entry Screen

Use this column for entries

Meter Type:	R-507	<< Enter FIM-71 or R-507
Case Name:	Raul de la Rosa	
Case number:	EB-NER-12-000011141	
Date:	12/2/2013	
Agents:	LR	
Frequency, MHz:	94.90 MHz	
Cluster 1 measurement:	64.3 dB μ V	
Cluster 2 measurement:	62.2 dB μ V	
Cluster 3 measurement:	64.8 dB μ V	
Cluster 4 measurement:	67.1 dB μ V	
Cluster 5 measurement:	68.9 dB μ V	
Distance from measurement point to transmitting antenna:	2967.152 ft.	Distance OK

Frequency is within the 88 - 108 MHz measurement range

Authorized Field Strength at

3 meters is:

250 μ V/Meter

ANTENNA FACTOR db/m

7.5 db/m

Cable Loss

1.5 dB

TOTAL CORRECTION *

9.0

F12 MUST = ANT OFF

* = If above corrections are stored in Z-Meter, and Function 12 = "ON ANT"
then Total Correction = 0 dB/m and Antenna Factor in 'Results' = 1.0

Frequency is within the 88 - 108 MHz measurement range

**AVERAGE OF FIVE CLUSTER MEASUREMENTS WITH R-507
WITH MEASUREMENT ANTENNA AT A 7 FOOT HEIGHT**

Name: **Raul de la Rosa** Case Number: **EB-NER-12-000011141** Date: **12/2/2013**
 Data Inside the Box Has Been Entered by the Field Agent. Other Values Are Calculated. Agents: **LR**

Fundamental Frequency In MHz (valid for 88 to 108 MHz)	Cluster Meter Readings	For F12 = ANT OFF (μV)
<u>94.90</u>	Reading 1	<u>1641</u>
	Reading 2	<u>1288</u>
Distance From Antenna in Feet	Reading 3	<u>1738</u>
<u>2.967</u>	Reading 4	<u>2265</u>
	Reading 5	<u>2786</u>

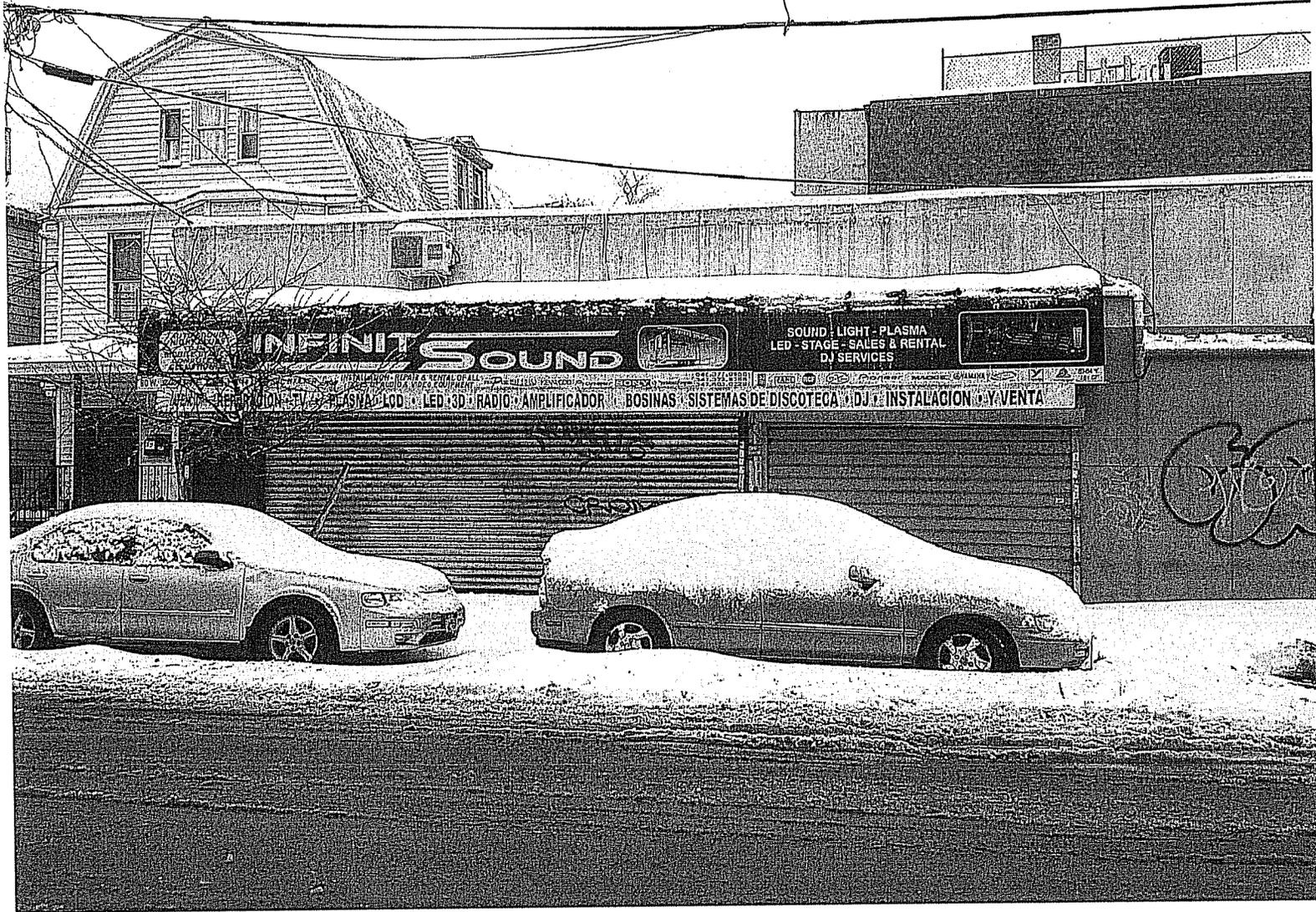
Distance OK

Average Cluster Meter Reading (μV) 1,943	Antenna Factor For Z-Tech 7 Foot Curve From Data Entry Values 2.82	Measured Field Strength ($\mu V/m$) 5,477
Distance From Antenna (meters) 904.4	Field Strength Extrapolated to 3 Meters ($\mu V/m$) 1,651,254	Field Strength With Accuracy Allowance in Favor of the Subject ($\mu V/m$) 1,090,973
Accuracy (db and decimal) 3.60 1.51	Legal Part 15 Limit At 3 Meters ($\mu V/m$) 250.00	Operation Is X Times Legal Value 6,605

Put this value in the affidavit (Measured values, extrapolated to 3 meters.)	1,651,254 ($\mu V/m$) extrapolated 6,605 times the legal value
--	---

Violation Confirmed

Exhibit 17
(1 pages)



INFINITI SOUND

SOUND - LIGHT - PLASMA
LED - STAGE - SALES & RENTAL
DJ SERVICES

REPRODUCCION DE TV - PLASMA - LED - 3D - RADIO - AMPLIFICADOR - BOSINAS - SISTEMAS DE DISCOTECA - DJ - INSTALACION - VENTA

