

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

In the matter of )
)
Gulf Stream Natural Gas System )
Owner of Antenna Structure Registration Number ) File Number EB-02-TP-380
1232899 in Ft. Meade, Florida )
) NAL/Acct. No. 200232700025
)
) FRN: 0006285712
)

MEMORANDUM OPINION AND ORDER

Adopted: August 11, 2004

Released: August 13, 2004

By the Chief, Enforcement Bureau:

1. In this Memorandum Opinion and Order ("Order"), we cancel a ten thousand dollar (\$10,000) Notice of Apparent Liability for Forfeiture ("NAL") issued to Gulf Stream Natural Gas System ("Gulf Stream"), owner of antenna structure no. 1232899 in Ft. Meade, Florida, for its apparent willful violation of Section 17.51 of the Commission's Rules ("Rules"). The alleged violation involves Gulf Stream's failure to exhibit medium intensity obstruction lighting on antenna structure no. 1232899. Based on our review of Gulf Stream's response to the NAL, including its good faith efforts to comply prior to being informed of the FCC inspection and its history of overall compliance, we conclude that no forfeiture should be imposed.

2. Accordingly, IT IS ORDERED that, pursuant to Section 504(b) of the Communications Act of 1934 as amended, and Section 1.80(f)(4) of the Rules, the instant Notice of Apparent Liability for Forfeiture, NAL/Acct. No. 200232700025, IS CANCELLED.

3. IT IS FURTHER ORDERED that copies of this Order shall be sent by Certified Mail Return Receipt Requested and by First Class Mail to Gulf Stream Natural Gas System, Attention, P. Martin Teague, Associate General Counsel, 2800 Post Oak Blvd., Houston, TX 77612 and its counsel, Gregory C. Staple, Esq., Vinson & Elkins, 1455 Pennsylvania Ave., N.W., Washington, D.C. 20004-1008.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

1 Notice of Apparent Liability for Forfeiture, NAL/Acct. No. 200232700025 (Enf. Bur. Tampa Office, released September 30, 2002).

2 47 C.F.R. § 17.51

3 47 U.S.C. § 504(b); 47 C.F.R. § 1.80(f)(4).

