

**Federal Communications Commission**

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

In the Matter of	)	
	)	
AAT Communications Corporation	)	File No. EB-09-HU-0043
Owner of Antenna Structure # 1042162	)	NOV No. V200932540010
Houston, Texas	)	
	)	
	)	

**NOTICE OF VIOLATION**

**Released: May 13, 2009**

By the Resident Agent, Houston Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (“Notice”) issued pursuant to Section 1.89 of the Commission’s Rules<sup>1</sup> to AAT Communications Corporation, owner of antenna structure # 1042162 in Houston, Texas.
  
2. On May 4, 2009, an agent of the Commission’s Houston Office of the Enforcement Bureau observed antenna structure # 1042162 located near Houston, Texas, and observed the following violation(s):
  - a. 47 C.F.R. § 17.47: “The owner of any antenna structure which is registered with the Commission and has been assigned lighting specifications referenced in this part: (a)(1) Shall make an observation of the antenna structure’s lights at least once each 24 hours either visually or by observing an automatic properly maintained indicator designed to register any failure of such lights, to insure that all such lights are functioning properly as required: or alternatively, (2) Shall provide and properly maintain an automatic alarm system designed to detect any failure of such lights and to provide indication of such failure to the owner.” An investigation revealed that the automatic alarm system used for this antenna structure did not detect or provide indication that the tower lighting was not operating in the correct mode.
  
  - b. 47 C.F.R. § 17.51(a): “All red obstruction lighting shall be exhibited from sunset to sunrise unless otherwise specified.” After local sunset, the tower lighting continued flashing white and did not transition to flashing red.

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<sup>1</sup> 47 C.F.R. § 1.89.

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3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, AAT Communications Corporation, must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the tower owner. 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  
Houston Office  
9597 Jones Road, #362  
Houston, Texas 77065

4. This Notice shall be sent to AAT Communications Corporation, at its address of record.
5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

Stephen P. Lee  
Resident Agent  
Houston Office  
South Central Region  
Enforcement Bureau

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<sup>2</sup> 47 U.S.C. § 308(b).

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

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