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**Federal Communications Commission**

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

In the Matter of	)	
	)	
Wyomedia Corp.	)	File No. EB-09-DV-0018
Antenna Structure Registrant	)	
ASR # 1001101	)	NOV No. V200932800007
Cheyenne, Wyoming	)	
	)	

**NOTICE OF VIOLATION**

**Released:** August 14, 2009

By the District Director, Denver Office, Western 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 Wyomedia Corp. ("Wyomedia"), registrant of antenna structure # 1001101 in Cheyenne, Wyoming.

2. On April 28, 2009, agents of the Enforcement Bureau's Denver Office inspected antenna structure # 1001101 located south of Cheyenne Wyoming, off US Route 87 and 0.6 miles southeast of Speer Road and observed the following violations:

- a. 47 C.F.R. § 17.4(g): "The Antenna Structure Registration Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure." During the inspection, the agents observed that there was no antenna structure registration number posted at or near the base of the antenna structure.
- b. 47 C.F.R. § 17.21: "Antenna structures shall be painted and lighted when . . . [t]hey exceed 60.96 meters (200 feet) in height above ground or they require special aeronautical study." The painting and lighting specifications for antenna structure # 1001101 require that the structure comply with FCC Paragraphs A1, B, C and H. Paragraph B requires light units located at the top of the structure and that this "complement of units shall emit a white high intensity light and produce an effective intensity of not less than 200,000 candelas (daytime) uniformly about the antenna structure... [t]he effective intensity shall be reduced to approximately 20,000 candelas at twilight, and to approximately 2,000 candelas at night." Paragraph C requires the same for the complement of units located at approximately the one-half level of the structure. Paragraph H requires that "all high and medium intensity lights shall be synchronized to flash simultaneously at 40 pulses per minute." During the inspection, the agents observed that one of the three high intensity strobes was extinguished at the one-half level, that the high intensity lights on the antenna structure were not synchronized to flash simultaneously at 40 pulses per minute, and

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<sup>1</sup> 47 C.F.R. § 1.89.



failed to switch from 200,000 candelas to 20,000 candelas, at twilight, and to 2,000 candelas at night.

- c. 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.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Wyomedia must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Wyomedia Corp. 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  
Denver District Office  
215 S. Wadsworth Blvd, Suite 303  
Lakewood, CO 80226

4. This Notice shall be sent by Certified Mail/Return Receipt Requested and regular mail to Wyomedia Corp., at his 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

Nikki P. Shears  
District Director  
Denver District Office  
Western Region  
Enforcement Bureau

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<sup>2</sup> 47 U.S.C. § 403.

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

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