

Federal Communications Commission

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

In the Matter of)	
)	
Lloyd Hoff Holding Corporation dba Portapage)	File No. EB-09-CF-0128
Antenna Structure Registrant)	
ASR # 1033637)	NOV No. V200932340012
ST. ALBANS, WV)	
)	
)	

NOTICE OF VIOLATION

Released: September 16, 2009

By the Acting District Director, Columbia Field Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation (“Notice”) issued pursuant to Section 1.89 of the Commission’s Rules¹ to Lloyd Hoff Holding Corporation dba Portapage, the owner of antenna structure # 1033637 in St. Albans, WV.

2. On September 2, 2009, agents of the Commission’s Columbia Field Office inspected antenna structure # 1033637 located at St. Albans, WV (N38 22 08.0/W081 49 10.0) and observed the following violation:

47 C.F.R. § 17.23: “Unless otherwise specified by the Commission, each new or altered antenna structure to be registered on or after January 1, 1996, must conform to recommendations set forth on the structure’s FAA determination of “no hazard”...” The registration for antenna structure #1033637 requires lighting specifications in accordance with Chapter 5, FAA Circular Number 70/7460-1F, which requires a red obstruction light system. The number of lights on each level is determined by the shape and height of the structure. These lights should be mounted so as to ensure an unobstructed view of at least one light from any normal angle of approach. At the Intermediate Level red obstruction lighting is required for structures not more than 450 feet (137m) AGL. Antenna structure #1033637 is 349.7 feet (106.6m) AGL in height. At the time of inspection, agents observed extinguished lights mounted at the mid-level of the antenna structure.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Lloyd Hoff Holding Corporation dba Portapage, 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

¹47 C.F.R. § 1.89.

²47 U.S.C. § 403.

Federal Communications Commission

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
Columbia Field Office
9200 Farm House Lane
Columbia, MD 21046

4. This Notice shall be sent to Lloyd Hoff Holding Corporation dba Portapage at its address of record.
5. The Privacy Act of 1974³ 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.⁴

FEDERAL COMMUNICATIONS COMMISSION

Richard M. Caine
Acting District Director
Columbia Field Office
Northeast Region
Enforcement Bureau

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*