
Federal Communications Commission

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

In the Matter of)	
)	
Industrial Tower and Wireless, LLC)	File No. EB-09-DV-0098
Antenna Structure Registrant)	
ASR No. 1261520)	
Kit Carson, Colorado)	NOV No. V201032800001

NOTICE OF VIOLATION

Released: November 18, 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,¹ to Industrial Tower and Wireless, LLC ("Industrial"), registrant of antenna structure # 1261520 in Kit Carson, Colorado.

2. On November 5, 2009, at approximately 11:35 a.m., MST, an agent of the Enforcement Bureau's Denver District Office inspected antenna structure # 1261520, located in Kit Carson, Colorado, and observed the following violation:

- 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." At the time of the inspection, no Antenna Structure Registration Number was displayed at the base of the tower.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Industrial 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 Industrial. 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:

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 403.

Federal Communications Commission

Federal Communications Commission
Denver District Office
215 S. Wadsworth Blvd., Suite 303
Lakewood, Colorado 80226

4. This Notice shall be sent by Certified Mail/Return Receipt Requested and regular mail to Industrial Tower and Wireless, LLC, 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

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

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*