

**Federal Communications Commission**

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

In the Matter of	)	
	)	
MBC Grand Broadcasting, Inc.	)	File No. EB-10-DV-0042
Antenna Structure Registrant	)	
ASR # 1060414	)	
Glenwood Springs, Colorado	)	NOV No. <b>V201032800021</b>
	)	

**NOTICE OF VIOLATION**

**Released: April 20, 2010**

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 MBC Grand Broadcasting, Inc. ("MBC"), registrant of antenna structure #1060414 in Glenwood Springs, Colorado.

2. On April 1, 2010, an agent of the Enforcement Bureau's Denver Office inspected antenna structure #1060414 located in Glenwood Springs, Colorado, and observed the following violations:

- a. 47 C.F.R. § 17.51(a): "All red obstruction lighting shall be exhibited from sunset to sunrise unless otherwise specified." At the time of inspection, two sidelights were extinguished at the one-third level and one sidelight was extinguished at the two-thirds level on antenna structure #1060414.
- b. 47 C.F.R. § 17.21: "Antenna structures shall be painted and lighted when (a) They exceed 60.96 meters (200 feet) in height above the ground or they require special aeronautical study." The painting and lighting specifications for antenna structure #1060414 are listed as FCC paragraphs 1, 3, 11, and 21. Paragraph 11 requires that the structure have sidelights with at least two red obstruction lights installed at its mid point. At the time of inspection, the antenna structure had red obstruction lights installed at one third and two-thirds levels of the overall height of the structure. The sidelights were not installed in accordance with its associated FCC antenna structure registration.

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<sup>1</sup> 47 C.F.R. § 1.89.

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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, MBC 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 the MBC. 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, Colorado 80226

4. This Notice shall be sent to MBC Grand Broadcasting, Inc., 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

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.*