

**Federal Communications Commission**

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

In the Matter of	)	
	)	
State of Alaska	)	File No. EB-10-AN-0070
Antenna Structure Registrant	)	
ASR # 1053090	)	
Willow, Alaska	)	
	)	
	)	
	)	NOV No. V201032780005
	)	
	)	

**NOTICE OF VIOLATION**

**Released: July 1, 2010**

By the Resident Agent, Anchorage Resident Agent 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 the State of Alaska, registrant of antenna structure #1053090 in Willow, Alaska.

2. On June 18, 2010, an agent of the Enforcement Bureau's Anchorage Resident Agent Office inspected antenna structure #1053090 located on Fishhook Willow Road in Willow, Alaska, and observed the following violation:

- a. 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 the FAA's painting and lighting recommendations set forth on the structure's FAA determination of "no hazard," as referenced in the following FAA Advisory Circulars: AC 70/7460-1J, "Obstruction Marking and Lighting," effective January 1, 1996, and AC 150/5345-43E, "Specification for Obstruction Lighting Equipment," dated October 19, 1995. For purposes of this part, the specifications, standards, and general requirements stated in these documents are mandatory." The ASR for antenna structure #1053090 requires lighting specifications in accordance with FAA Chapters 4, 8, 12 of FAA Circular Number 70/7460-1K. FAA Chapter 8 requires a dual lighting system including red lights for nighttime and medium intensity flashing white lights for daytime and twilight use. At the time of inspection, the agents observed a red flashing beacon during the peak daylight hours. Chapter 8 requires a flashing white light for daytime and twilight use.

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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, the State of Alaska 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 State of Alaska. 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  
Anchorage Resident Agent Office  
P.O. Box 221849  
Anchorage, Alaska 99522-1849

4. This Notice shall be sent to the State of Alaska 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

Marlene Windel  
Resident Agent  
Anchorage Resident Agent 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.*