

Federal Communications Commission

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

In the Matter of)	
)	
Waukau Storage Yard, LLP)	
Registrant of Antenna Structure)	File No. EB-10-CG-0089
ASR # 1042740)	
Lake Geneva, WI)	NOV No. V201032320006
)	

NOTICE OF VIOLATION

Released: July 23, 2010

By the District Director, Chicago 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 Waukau Storage Yard, LLP, owner of antenna structure #1042740 in Lake Geneva, Wisconsin.
2. On July 8, 2010, an agent of the Commission’s Chicago Office conducted an investigation of antenna structure 1042740 and observed the following violation:

47 C.F.R. § 17.4 (b): “Except as provided in paragraph (e) of this section, each owner must file FCC Form 854 with the Commission. Additionally, each owner of a proposed structure referred to in paragraphs (a)(1) or (a)(3) of this section must submit a valid FAA determination of ‘no hazard.’” FAA determination 1992-AGL-1764-OE originally specified that painting and lighting was not required, which was reaffirmed in subsequent determination 2004-AGL-1399-OE. The FCC’s Antenna Structure Registration (“ASR”) database, however, currently indicates that antenna structure number 1042740 requires aviation orange and white paint and red obstruction lighting in accordance with FAA Obstruction Marking and Lighting Specifications for Antenna Structures, FCC Form 715-A, Paragraphs 1, 3, 11, and 21. Waukau Storage Yard, LLP must submit Form 854 to the Commission to change the painting and lighting specifications to be consistent with the current FAA determination.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission’s Rules, Waukau Storage Yard, LLP 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 include a time line for completion of pending corrective action(s). The response must be complete

¹47 C.F.R. § 1.89.

²47 U.S.C. § 403

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in itself and signed by a principal or officer of Waukau Storage Yard, LLP. 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
Chicago Office
1550 North Northwest Highway, Room 306
Park Ridge, IL 60068

4. This Notice shall be sent to Waukau Storage Yard, LLP 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

James M. Roop
District Director
Chicago District Office
Northeast Region
Enforcement Bureau

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*