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

In the Matter of)	
)	
New Jersey Public Broadcasting Authority)	File No. EB-11-PA-0263
Antenna Structure Registrant)	
ASR # 1045125)	NOV No. V201232400013
Waterford Township, New Jersey)	
)	

NOTICE OF VIOLATION

Released: **December 19, 2011**

By the District Director, Philadelphia Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to section 1.89 of the Commission's rules,¹ to New Jersey Public Broadcasting Authority, registrant of antenna structure # 1045125 in Waterford Township, New Jersey.

2. On November 14, 2011, agents of the Enforcement Bureau's Philadelphia Office inspected antenna structure # 1045125 located on Arrowhead Drive in Waterford Township, New Jersey, 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 the FAA's painting and lighting recommendations set forth on the structure's FAA determination of 'no hazard'" The FCC's Antenna Structure Registration ("ASR") database currently indicates that antenna structure # 1045125 requires a dual lighting system with red obstruction lighting at night and medium and high intensity white flashing lights during the day in accordance with FCC paragraphs A1, B, D, H, 3, 6, 15, 21, and 23. The antenna structure does not conform to these recommendations, but is equipped with only medium and high intensity white flashing lights during the day and night.²

¹ 47 C.F.R. § 1.89

² In order to come into compliance with the Commission's rules, New Jersey Public Broadcasting Authority must: (1) obtain a new FAA "no hazard" determination specifying a dual lighting system and then modify the antenna structure registration to reflect the new painting and lighting specifications, (2) modify the antenna structure registration if a new FAA "no hazard" determination already has been obtained for a dual lighting system or (3) install red obstruction lighting on the antenna structure.

Federal Communications Commission

3. Pursuant to section 403 of the Communications Act of 1934, as amended,³ and section 1.89 of the Commission's rules, New Jersey Public Broadcasting Authority 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 member of New Jersey Public Broadcasting Authority. 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
Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to New Jersey Public Broadcasting Authority at its address of record.

5. The Privacy Act of 1974⁴ 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.⁵

FEDERAL COMMUNICATIONS COMMISSION

Gene J. Stanbro
District Director
Philadelphia District Office
Northeast Region
Enforcement Bureau

³ 47 U.S.C. § 403

⁴ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁵ 18 U.S.C. § 1001 *et seq.*