

**Federal Communications Commission**

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

In the Matter of	)	
	)	
Public Service Company of Oklahoma	)	
dba American Electric Power Service Company	)	File No.: EB-FIELDSCR-13-00008918
	)	
Owner of Antenna Structure Nos. 1050811 and	)	NOV No.: V201332500057
1256201	)	
	)	
Preston, Oklahoma	)	

**NOTICE OF VIOLATION**

**Released: August 1, 2013**

By the District Director, Dallas Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s rules (Rules)<sup>1</sup> to Public Service Company of Oklahoma dba American Electric Power Service Company (American Electric), owner of antenna structure numbers 1050811 and 1256201 in Preston, Oklahoma. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.<sup>2</sup>

2. On May 1, 2013, an agent of the Enforcement Bureau’s Dallas Office inspected antenna structure numbers 1050811 and 1256201 located at Preston, Oklahoma (1.2 Miles S or Hwy 16, 0.7 Miles E of Hwy 75), and observed the following violation(s):

- a. 47 C.F.R. § 17.4(g): “The Antenna Structure Registration (ASR) Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure. Material used to display the Antenna Structure Registration Number must be weather resistant and of sufficient size to be easily seen at the base of the antenna structure.” At the time of inspection, the agent observed that the ASR Number for the structure number 1256201 was not visible near the base of the structure.

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 C.F.R. § 1.89(a).

## Federal Communications Commission

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- b. 47 C.F.R. § 17.57: “The owner of an antenna structure for which an Antenna Structure Registration Number has been obtained must notify the Commission within 24 hours of completion of construction (FCC Form 854–R) and/or dismantlement (FCC Form 854).” Antenna structure number 1050811 is no longer at the location specified in its Antenna Structure Registration and no dismantlement or update notice has been filed with the FCC.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, American Electric must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.<sup>4</sup>

4. In accordance with Section 1.16 of the Rules, we direct American Electric to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of American Electric’s with personal knowledge of the representations provided in American Electric’s response, verifying the truth and accuracy of the information therein,<sup>5</sup> and confirming that all of the information requested by this Notice which is in the company’s possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>6</sup>

5. 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:

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<sup>3</sup> 47 U.S.C. § 403.

<sup>4</sup> 47 C.F.R. § 1.89(c).

<sup>5</sup> Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

<sup>6</sup> 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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Dallas Office  
9330 LBJ Freeway, Suite 1170  
Dallas, TX 75243

6. This Notice shall be sent to American Electric at its address of record.

7. The Privacy Act of 1974<sup>7</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.

FEDERAL COMMUNICATIONS COMMISSION

James D. Wells  
District Director  
Dallas District Office  
South Central Region  
Enforcement Bureau

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<sup>7</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).