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**Federal Communications Commission**

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

In the Matter of	)	
	)	
Waukau Storage Yard, LLP	)	File No.: EB-FIELDNER-25-00037800
Owner of Antenna Structure 1042742	)	FRN: 0009587494
	)	
North Prairie, Wisconsin	)	
	)	
	)	

**NOTICE OF VIOLATION**

**Released: September 19, 2025**

By the Regional Director, Region One, 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 Waukau Storage Yard, LLP (Waukau), owner of antenna structure number 1042742 in North Prairie, Wisconsin. Pursuant to section 1.89(a) of the Commission's 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 March 5, 2025, and August 28, 2025, an agent of the Enforcement Bureau's Chicago Office inspected antenna structure number 1042742 located at 42°55'52"N, 88°21'5"W in North Prairie, Wisconsin and observed the following violations:

- a. 47 CFR § 17.23: "[E]ach antenna structure must be painted and lighted in accordance with any painting and lighting requirements prescribed on the antenna structure's registration, or in accordance with any other specifications provided by the Commission." The FCC's Antenna Structure Registration (ASR) database currently indicates that the Antenna Structure requires painting and red obstruction lighting during the nighttime that includes a top-level beacon and two mid-level steady burning side markers at the 1/3 and 2/3 levels in accordance with FCC Paragraphs 1, 3, 12, 21.<sup>3</sup> At the time of the inspections, which were after sunset and before dawn, an agent observed that the obstruction lighting was completely extinguished on the Antenna Structure.
- b. 47 CFR § 17.50: "Antenna structures requiring painting under this part shall be cleaned or repainted as often as necessary to maintain good visibility. Evaluation of the current paint status shall be made by using the FAA's [Federal Aviation Administration] In-Service Aviation Orange Tolerance Chart. This chart is based upon the color requirements contained in the National Bureau of Standards Report NBSIR 75-663, Color Requirements for the Marking of Obstructions." At the time of the inspections, an

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<sup>1</sup> 47 CFR § 1.89.

<sup>2</sup> 47 CFR § 1.89(a).

<sup>3</sup> See Antenna Painting & Lighting Specifications, *FCC Paragraphs*, <https://www.fcc.gov/wireless/bureau-divisions/competition-infrastructure-policy-division/antenna-painting-lighting> (last visited Sept. 18, 2025).

agent observed that the paint on the Antenna Structure was severely faded and flaking and did not maintain good visibility.

- c. 47 CFR § 17.56: “Replacing or repairing of lights, automatic indicators or automatic control or alarm systems shall be accomplished as soon as practicable.” On January 16, 2025, an FCC agent spoke to Todd Kolosso, the registered agent for Waukau, who indicated that Waukau was not aware of the outage but planned to dismantle the antenna structure. On March 5, 2025, and August 28, 2025, an FCC agent inspected the Antenna Structure after sunset and before dawn, and confirmed that the obstruction lighting was completely extinguished. The FCC agent attempted to contact Waukau to obtain an update on the repairs of the obstruction lighting or dismantling of the antenna structure but received no response.

3. Pursuant to section 403 of the Communications Act of 1934, as amended (Act), and section 1.89 of the Commission’s rules, we seek additional information concerning the violations and any remedial actions taken.<sup>4</sup> Therefore, Waukau 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>5</sup>

4. In accordance with section 1.16 of the Commission’s rules, we direct Waukau to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Waukau with personal knowledge of the representations provided in Waukau’s response, verifying the truth and accuracy of the information therein, 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.<sup>6</sup> 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>7</sup>

5. All replies and documentation sent in response to this Notice should be marked with the File Number, specified above, and mailed to the following address:

Federal Communications Commission  
Columbia Regional Office  
9050 Junction Drive  
Annapolis Junction, Maryland 20701

6. This Notice shall be sent to Waukau Storage Yard, LLP at its address of record.

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<sup>4</sup> 47 U.S.C. § 403; 47 CFR § 1.89.

<sup>5</sup> 47 CFR § 1.89(c).

<sup>6</sup> Section 1.16 of the Commission’s 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 CFR § 1.16.

<sup>7</sup> 18 U.S.C. §§ 1001, *et seq.*; *see also* 47 CFR § 1.17.

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7. The Privacy Act of 1974<sup>8</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

David C. Dombrowski  
Regional Director, Region One  
Enforcement Bureau

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<sup>8</sup> 5 U.S.C. § 552a(e)(3).