

**Federal Communications Commission**

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

In the Matter of	)	
	)	
MCC Radio LLC	)	File No. EB-12-AN-0002
Antenna Structure Registrant	)	
ASR #1063079	)	
Anchorage, Alaska	)	NOV No. V201232780001

**NOTICE OF VIOLATION**

**Released: January 12, 2012**

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 MMC Radio LLC, registrant of antenna structure #1063079 in Anchorage, Alaska.

2. On January 5, 2012, at approximately 9:15 a.m., an agent of the Enforcement Bureau's Anchorage Resident Agent Office inspected antenna structure # 1063079 located off of Tower Road in Anchorage, Alaska, and observed the following violations:

- a. 47 C.F.R. § 17.51(a): "All red obstruction lighting shall be exhibited from sunset to sunrise unless otherwise specified." During the inspection, the agent observed the antenna structure's red obstruction lighting at approximately the 3/4 level to be non-functioning.
  
- b. 47 C.F.R. § 17.17(a) "The requirements found in § 17.23 relating to the painting and lighting of antenna structures shall not apply to those structures authorized prior to July 1, 1996. Previously authorized structures may retain their present painting and lighting specifications, so long as the overall structure height or site coordinates do not change." The FCC's antenna structure registration for antenna structure # 1063079 requires painting and lighting requirements as specified by FCC Paragraphs 1, 3, 11, 21. Paragraph 11 requires that "[a]t the approximate midpoint of the overall height of the antenna structure, there shall be installed at least two 116- or 125-watt lamps (A21/TS) enclosed in aviation red obstruction light globes. Each light shall be mounted so as to insure unobstructed visibility of at least one light at each level from aircraft at any normal angle of approach." At the time of the inspection, the agent did not observe the required midpoint lights installed on the antenna structure.

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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, MCC Radio, LLC, 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 MCC Radio, LLC. 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 231949  
Anchorage, Alaska 99523-1949

4. This Notice shall be sent to MCC Radio, LLC 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.*