

**Federal Communications Commission**

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

In the Matter of	)	
	)	
Capstar Radio Operating Company	)	File No. EB-FIELDWR-12-00001574
Antenna Structure Registrant	)	
ASR # 1002139	)	
	)	
Honolulu, Hawaii	)	NOV No. V201232860008
	)	

**NOTICE OF VIOLATION**

**Released: April 3, 2012**

By the Resident Agent, Honolulu 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 Capstar Radio Operating Company, registrant of antenna structure #1002139 in Honolulu, Hawaii.

2. On March 27, 2012, an agent of the Enforcement Bureau's Honolulu Office inspected antenna structure #1002139 located at 1095 Dillingham Blvd, and observed the following violation:

- a. 47 C.F.R. § 17.51(a): "All red obstruction lighting shall be exhibited from sunset to sunrise unless otherwise specified." The antenna structure registration for antenna structure #1002139 requires a top flashing beacon and at least two steady burning lights at approximately two-thirds and one-third levels. At the time of the inspection, the agent observed extinguishment of one of the two steady burning lights at both the two-thirds and one-third levels.

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, Capstar Radio Operating Company, 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 any pending corrective action(s). The response must be complete in itself and signed by Capstar Radio Operating Company or a principal or officer of Capstar Radio Operating Company. 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>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 403.

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Honolulu Office  
P.O. Box 971030  
Waipahu, Hawaii 96797-1030

4. This Notice shall be sent to Capstar Radio Operating Company, 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

Ryan Hagihara  
Resident Agent  
Honolulu Office  
Western Region  
Enforcement Bureau

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

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*