

Federal Communications Commission

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

In the Matter of)	
)	
Mountain View Electric Association, Inc.)	File No. EB-FIELDWR-12-00001486
Antenna Structure Registrant)	
ASR # 1023489)	NOV No. V201232800030
Matheson, CO)	
)	

NOTICE OF VIOLATION

Released: May 23, 2012

By the District Director, Denver District Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s Rules,¹ to Mountain View Electric Association, Inc. (MVEAI), registrant of antenna structure # 1023489 about five miles east of Matheson, CO.

2. On March 20, 2012, an agent of the Enforcement Bureau’s Denver District Office inspected antenna structure # 1023489 located approximately five miles east of Matheson, CO, and observed the following violations:

- a. 47 C.F.R. § 17.4(g): “Except as described in paragraph (h) of this section, the Antenna Structure Registration Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure. Materials 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 the inspection, the agent observed that the antenna structure registration number was not displayed.

- b. 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 Federal Aviation Administration’s (FAA’s) painting and lighting recommendations set forth on the structure’s FAA determination of “no hazard,” as referenced in the . . .FAA Advisory Circulars.” The FAA Notice for the antenna structure requires aviation orange and white paint, and red obstruction lighting in accordance with FAA Circular Number 70/7460-1G, Chapters 3, 4, 5, and 9. At the time of the inspection, the antenna

¹ 47 C.F.R. § 1.89.

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structure paint was deteriorated, and the structure was equipped with a dual red and medium intensity flashing white obstruction lighting system.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, MVEAI 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 MVEAI. 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
Denver District Office
215 S. Wadsworth Blvd., Suite 303
Lakewood, CO 80226

4. This Notice shall be sent to Mountain View Electric Association, Inc., at its address of record.

5. The Privacy Act of 1974³ 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.⁴

FEDERAL COMMUNICATIONS COMMISSION

Nikki P. Shears
District Director
Denver District Office
Western Region
Enforcement Bureau

² 47 U.S.C. § 403.

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*