

Federal Communications Commission

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

In the Matter of)
)
Mid America Regional Council - Emergency) File Number: EB-FIELDSCR-12-00002532
Rescue) NOV Number: V201232560004
Owner of Antenna Structure No. 1230974)
Kansas City, MO)
)
)

NOTICE OF VIOLATION

Released: June 11, 2012

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

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules¹ to Mid America Regional Council - Emergency Rescue, owner of antenna structure number 1230974 in Kansas City, Missouri.
2. On April 13, 2012, an agent of the Commission's Kansas City Office inspected antenna structure number 1230974 located at 8100 Ozark, Kansas City, Missouri, and observed the following violation(s):
 - a. 47 C.F.R. §17.47(a): *The owner of any antenna structure which is registered with the Commission and has been assigned lighting specifications referenced in this part: (a)(1) Shall make an observation of the antenna structure's lights at least once each 24 hours either visually or by observing an automatic properly maintained indicator designed to register any failure of such lights, to insure that all such lights are functioning properly as required; or alternatively, (2) Shall provide and properly maintain an automatic alarm system designed to detect any failure of such lights and to provide indication of such failure to the owner.* On April 13, 2012, an agent from the Kansas City Office observed that the top beacon on antenna structure number 1230974 was not lit during a day of heavy fog. In a letter to this Office dated May 7, 2012, Mid America Regional Council - Emergency Rescue stated that it observed the antenna structure's lights on a monthly basis. In addition, the tower logs provided by Mid America Regional Council - Emergency Rescue on April 18, 2012 show no evidence that a light outage was observed between April 5, 2012 and April 13, 2012.

¹47 C.F.R. § 1.89.

Federal Communications Commission

- Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's rules, Mid America Regional Council - Emergency Rescue must submit a written statement concerning this matter within twenty (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 the Mid America Regional Council - Emergency Rescue. 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
Kansas City Office
520 N.E. Colbern Rd.
2nd Floor
Lees Summit, MO 64086-4711

- This Notice shall be sent to Mid America Regional Council - Emergency Rescue at its address of record.
- 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

Ronald D. Ramage
District Director
Kansas City Office
South Central Region
Enforcement Bureau

²47 U.S.C. § 308(b).

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*