

Federal Communications Commission

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

In the Matter of)	
)	
State of Michigan)	
Department of Transportation)	File No. EB-FIELDNER-12-00002899
)	
Antenna Structure Owner)	NOV No. V201232360007
Romulus, Michigan)	
)	
)	

NOTICE OF VIOLATION

Released: June 26, 2012

By the District Director, Detroit Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission’s rules¹ to the State of Michigan, Department of Transportation, owner of an antenna structure in Romulus, Michigan.
2. On May 15, 2012, an agent of the Commission’s Detroit Office inspected the antenna structure located at the southeast corner of Interstate 94/Wayne Road at the approximate coordinates 42-13-38.9 North Latitude / 083-23-04.6 West Longitude in Romulus, Michigan, and observed the following violation:

47 C.F.R. § 17.4(a)(1): “Antenna structure registration. Effective July 1, 1996, the owner of any proposed or existing antenna structure that requires notice of proposed construction to the Federal Aviation Administration must register the structure with the Commission. This includes those structures used as part of stations licensed by the Commission for the transmission of radio energy, or to be used as part of a cable television head end system. If a Federal Government antenna structure is to be used by a Commission licensee, the structure must be registered with the Commission. For a proposed antenna structure, or alteration of an existing antenna structure, the owner must register the structure prior to construction or alteration.” At the time of inspection, the antenna structure was not registered with the Commission. Although the structure is less than 200 feet, registration is required as a result of its proximity to Detroit Metropolitan Airport. You must file FCC Form 854 with the Commission and include a valid FAA determination of “no hazard.” In order to be considered valid by the Commission, the FAA

¹47 C.F.R. § 1.89.

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determination of no hazard must not have expired prior to the date on which the FCC Form 854 is received by the Commission.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, State of Michigan, 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 an authorized representative of the State of Michigan. 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
Detroit Office
24897 Hathaway Street
Farmington Hills, Michigan, 48335

4. This Notice shall be sent to the State of Michigan 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

James A. Bridgewater
District Director
Detroit District Office
Northeast Region
Enforcement Bureau

²47 U.S.C. § 403.

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*