

Federal Communications Commission

17.50 (Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 )  
APAC Kansas Inc. DBA Allied ) File No.: EB-FIELDSCR-12-00003474  
Owner of Antenna Structure No. 1222687 )  
Hays, KS ) NOV No.: V201232560007  
 )

NOTICE OF VIOLATION

Released: August 6, 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 rules<sup>1</sup> to APAC Kansas Inc. DBA Allied, owner of antenna structure number 1222687 in Hays, Kansas.
2. On July 13, 2012, an agent of the Commission’s Kansas City Office inspected antenna structure number 1222687 located 0.3 miles east of the Fairground Rd and 230<sup>th</sup> Ave intersection and observed the following violation(s):
  - a. 47 C.F.R.§17.4(a): *...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. All of information provided to the Commission must be accurate. At the time of inspection, the reported coordinates in Commission’s database differed from the actual coordinates of the tower by 1.45 miles.*
  - b. 47 C.F.R.§17.50: *Antenna structures requiring painting under this part shall be cleaned or repainted as often as necessary to maintain good visibility. At the time of inspection, the paint on this structure was faded and its visibility to aircraft was reduced.*
3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission’s rules, APAC Kansas Inc. DBA Allied 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

<sup>1</sup>47 C.F.R. § 1.89.

<sup>2</sup>47 U.S.C. § 308(b).

**Federal Communications Commission**

---

time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of APAC Kansas Inc. DBA Allied. 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

4. This Notice shall be sent to APAC Kansas Inc. DBA Allied 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

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

---

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

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