

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

In the Matter of	)	
	)	
Blow Up LLC	)	File No. EB-FIELDWR-17-00025698
Antenna Structure Registrant	)	
ASR# 1213943	)	
	)	
Honolulu, Hawaii	)	
	)	

**NOTICE OF VIOLATION**

**Released: December 7, 2017**

By the Los Angeles Regional Office, Region Three, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the rules of the Federal Communications Commission<sup>1</sup> to Blow Up LLC, owner of antenna structure #1213943 in Honolulu, Hawaii. Pursuant to Section 1.89(a) of the Commission’s rules, issuance of this Notice does not preclude the Commission’s Enforcement Bureau (Bureau) from taking further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture, for the violation(s) noted herein.<sup>2</sup>

2. On November 24, 2017, an agent of the Bureau’s Honolulu Office inspected antenna structure #1213943 located at the Hart Street Extension next to the Kapalama Canal, and observed the following violation:

- a. 47 CFR § 17.56: “Replacing or repairing of lights, automatic indicators or automatic control or alarm systems shall be accomplished as soon as practicable.” The antenna structure registration for antenna structure #1213943 requires a top flashing beacon and at least two steady burning lights at the mid-level. At the time of the inspections, the agent observed extinguishment of one of the two steady burning lights at the mid-level.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Commission’s rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Blow Up LLC must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for

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<sup>1</sup> 47 CFR § 1.89.

<sup>2</sup> 47 CFR § 1.89(a).

<sup>3</sup> 47 U.S.C. § 403.

completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.<sup>4</sup>

4. In accordance with Section 1.16 of the Commission's rules, we direct Blow Up LLC to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Blow Up LLC, with personal knowledge of the representations provided in the response, verifying the truth and accuracy of the information therein,<sup>5</sup> and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>6</sup>

5. All replies and documentation sent in response to this Notice should be marked with the File Number specified above, and mailed to the following address:

Federal Communications Commission  
Los Angeles Regional Office  
18000 Studebaker Rd., #660  
Cerritos, CA 90703

6. This Notice shall be sent to Blow Up LLC at its address of record.

7. The Privacy Act of 1974<sup>7</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.

FEDERAL COMMUNICATIONS COMMISSION

Lark Hadley  
Regional Director  
Region Three  
Enforcement Bureau

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<sup>4</sup> 47 CFR § 1.89(c).

<sup>5</sup> Section 1.16 of the Commission's rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'" 47 CFR § 1.16.

<sup>6</sup> 18 U.S.C. § 1001 *et seq.*, *See also* 47 CFR § 1.17.

<sup>7</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).