

**Federal Communications Commission**

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

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|----------------------------------|---|----------------------------------|
| In the Matter of                 | ) |                                  |
|                                  | ) |                                  |
| Citicasters Co.                  | ) | File No. EB-FIELDNER-12-00001049 |
| Registrant of Antenna Structures | ) |                                  |
| ASR # 1011747 and 1011748        | ) | NOV No.: V201232400033           |
| Brighton, New York               | ) |                                  |

**NOTICE OF VIOLATION**

**Released: March 19, 2012**

By the Acting District Director, Philadelphia Office, Northeast 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 Citicasters Co., the registrant of antenna structure numbers 1011747 and 1011748 (Antenna Structures) in Brighton, New York.
  
2. On February 22, 2012, agents of the Commission's Philadelphia Office inspected the Antenna Structures located on Winton Road in Brighton, New York and observed the following violation:

47 C.F.R. § 17.51(a): "All red obstruction lighting shall be exhibited from sunset to sunrise unless otherwise specified." At the time of the inspection, the agents observed that one of the two mid-level steady burning red obstruction lights was extinguished on each of the Antenna Structures.
  
3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's rules, Citicasters Co. 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 tower owner. 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:

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<sup>1</sup>47 C.F.R. § 1.89.

<sup>2</sup>47 U.S.C. § 403.

## Federal Communications Commission

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Federal Communications Commission  
Philadelphia Office  
One Oxford Valley Building, Suite 404  
2300 East Lincoln Highway  
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to Citicasters Co. 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

David C. Dombrowski  
Acting District Director  
Philadelphia District Office  
Northeast Region  
Enforcement Bureau

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

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