

Federal Communications Commission

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

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| In the Matter of |) | |
| |) | |
| Citadel Broadcasting Company |) | |
| |) | |
| ASR # 1011744 |) | File No. EB-03-BF-123 |
| Buffalo, New York |) | |
| |) | |
| |) | NOV No. V20043228007 |
| |) | |
| Attention: Al Marranca |) | |

NOTICE OF VIOLATION

Released: December 12, 2003

By the Resident Agent, Buffalo Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Citadel Broadcasting Company.

2. On October 23, 2003, an agent of the Commission's Buffalo Office inspected the antenna structure, ASR 1011744, located at 675 Dorrance Street and Onondaga Avenue, Buffalo, New York and observed the following violation:

- a. 47 C.F.R. § 17.50: "Antenna structures requiring painting shall be cleaned or repainted as often as necessary to maintain good visibility." The paint on the tower is peeling and faded.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Citadel Broadcasting must submit a written statement concerning this matter within 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 cable system with personal knowledge of the matter. 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:

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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Federal Communications Commission
Buffalo Office
1307 Federal Building
Buffalo, New York 14202

4. This Notice shall be sent to Citadel Broadcasting Company, Attn: Al Marranca, 50 James E. Casey Drive, Buffalo, New York 14206.

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

David A. Viglione
Resident Agent
Buffalo Office

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*