

Federal Communications Commission

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

In the Matter of)	
)	
Pinnacle Towers, Inc.)	
ASR # 1035818)	File No. EB-03-CF-642
Mechanicsville, MD.)	
)	NOV No. V20043234001
)	
)	

NOTICE OF VIOLATION

Released: December 16, 2003

By the Enforcement Bureau: Columbia Office

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Pinnacle Towers, Inc.

2. On December 10, 2003, an agent of the Commission's Columbia Office inspected the antenna structure, a tower ASR# 1035818 in Mechanicsville, Maryland and observed the following violations:

- 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 faded and numerous black coaxial cables attached to the tower obstructed clear visibility of the tower painting.
- b. 47 C.F.R. §17.57: The owner of an antenna structure requiring painting must immediately notify the Commission using FCC Form 854 upon any change in ownership information. The FCC antenna registration database still lists the former owner of the tower.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Pinnacle Towers, Inc. 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 company with personal knowledge of

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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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:

Federal Communications Commission
Columbia Office
9200 Farm House Lane
Columbia, MD 21046

4. This Notice shall be sent to Pinnacle Towers, Inc., 301 N. Cattleman Rd. 3rd Floor, Sarasota, FL 34232.

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

Charles C. Magin
District Director,
Columbia Office

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*