

**Federal Communications Commission**

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

In the Matter of	)	
	)	
Capstar Radio Operating Company	)	File No. EB-04-BF-155
	)	
ASR # 1003616	)	NOV No. V20053228001
Mohawk, New York	)	
	)	
	)	

**NOTICE OF VIOLATION**

**Released: October 7, 2004**

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,<sup>1</sup> to Capstar Radio Operating Company.
2. On August 9, 2004, an agent of the Commission's Buffalo Office inspected the antenna structure, ASR# 1003616, located in Mohawk, NY, and observed the following violation(s):
  - a. 47 C.F.R. § 17.4(g): "... the Antenna Structure Registration Number must be displayed in a conspicuous place so that it is readily visible near the base of the antenna structure." The antenna registration number was not posted.
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, Capstar Radio Operating Company, 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 licensee 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:

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 308(b).

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Federal Communications Commission  
Room 1307 Federal Building  
111 W. Huron Street  
Buffalo, New York 14202

4. This Notice shall be sent to, Capstar Radio Operating Company, 2625 S. Memorial Drive, Suite A, Tulsa, OK 74129

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

Gene Stanbro  
Resident Agent  
Buffalo Office

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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.*