

**Federal Communications Commission**

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

In the Matter of	)	
	)	
ICBC Corporation	)	File No. EB-05-NY-328
	)	File No. EB-05-NY-329
	)	File No. EB-05-NY-330
	)	
Registrant of Antenna Structures	)	NOV No. V20063238012
ASR # 1046297	)	
ASR # 1046298	)	
ASR # 1046299	)	
Lyndhurst, New Jersey	)	

**NOTICE OF VIOLATION**

**Released: December 28, 2005**

By the District Director, New York 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 ICBC Corporation, owner of antenna structures 1046297, 1046298, and 1046299 in Lyndhurst, New Jersey.

2. On November 29, 2005, an agent of the Commission's New York Office inspected antenna structures 1046297, 1046298, and 1046299, located on Valley Brook Avenue in Lyndhurst, NJ, and observed the following violation:

47 C.F.R. § 17.23: "Unless otherwise specified by the Commission, each new or altered antenna structure to be registered on or after January 1, 1996, must conform to the FAA's determination of "no hazard," as referenced in the . . . FAA Advisory Circulars. . . ." The FCC's Antenna Structure Registration database indicates that antenna structures 1046297, 1046298, and 1046299 must comply with the painting and lighting specifications in Chapters 3, 4, 5, and 13 of FAA Advisory Circular Number 70/7460-1H. Specifically, Chapter 5 requires flashing red beacon lights at the midpoint and at the top of the structure and steady burning red side lights at the 1/4 and 3/4 levels. *See* FAA Advisory Circular Number 70/7460-1H, Chapter 5, Appendix 1, Figure 13. At the time of inspection, the agent observed that antenna structures 1046297, 1046298, and 1046299 did not have flashing red beacon lights at the midpoint of the structure and the steady burning red side lights were incorrectly located at the 1/3 and 2/3 levels.

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<sup>1</sup> 47 C.F.R. § 1.89.

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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, ICBC Corporation 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 ICBC Corporation 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:

Federal Communications Commission  
New York Office  
201 Varick Street, Suite 1151  
New York, NY 10014

4. This Notice shall be sent to ICBC Corporation 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

Daniel W. Noel  
District Director  
New York Office  
Northeast Region  
Enforcement Bureau

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<sup>2</sup> 47 U.S.C. § 403.

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

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