

Federal Communications Commission

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

In the Matter of)	
)	
New Jersey Turnpike Authority)	File No. EB-09-NY-0006
ASR # 1236123)	
Secaucus, NJ)	NOV No. V200932380016
)	

NOTICE OF VIOLATION

Released: January 21, 2009

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 Rules¹ to New Jersey Turnpike Authority (“NJTA”), owner of antenna structure 1236123 in Secaucus, NJ.
2. On January 9, 2009, an agent of the Commission’s New York Office inspected antenna structure 1236123 located at Interchange 18W, Secaucus, NJ 08628, and observed the following violations:
 - 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.” At the time of inspection, no Antenna Structure Registration Number was readily visible near the base of the tower.
 - b. 47 C.F.R. § 17.57: “The owner of an antenna structure for which an Antenna Structure Registration Number has been obtained must notify the Commission within 24 hours of completion of construction (FCC Form 854-R) and/or dismantlement (FCC Form 854). The owner must also immediately notify the Commission using FCC Form 854 upon any change in structure height or change in ownership information.” The Antenna Structure Registration for antenna structure 1236123 still shows “granted” status and NJTA failed to notify the Commission of a change of contact name and telephone number. In order to come into compliance with the Commission’s rules, NJTA should file FCC Form 854 notifying the Commission that the tower has been constructed and provide the Commission with the correct contact name and telephone number.

¹47 C.F.R. § 1.89.

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3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, NJTA 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 NJTA. 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 New Jersey Turnpike Authority at its address of record.
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

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

²47 U.S.C. § 403.

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*