



FEDERAL COMMUNICATIONS COMMISSION

Media Bureau
Audio Division
445 12th Street, S.W.
Washington, D.C. 20554

September 28, 2009

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Broadcast Towers, Inc.
6910 NW 2nd Terrace
Boca Raton, FL 33487

Re: W237CI, Miami Beach, FL
Facility ID No. 139223

File Nos. BMPFT-20080317AAK, BLFT-

20080320AFB, BPFT-20080701ABY,

BLFT-20080804AFG, BPFT-

20080825AAC, BLFT-20080929ADH,

BPFT-20081022ACJ, BLFT-

20081029ADU, BPFT-20081030AAB,

BLFT-20090122AAB, BLFT-

20090204ABI, BPFT-20090218AEU,

BLFT-20090306AAM, and BPFT-

20090505ACC

Florida City, FL
Cutter Ridge, FL
Kendall, FL
Miami Beach
Florida City
Key Biscayne
Miami Beach

W237DK, Leisure City, FL

Facility ID No. 139053

File Nos. BMPFT-20070827AEE, BLFT-

20070906AFJ, BPFT-20071001AEN,

BLFT-20071002AAM, BPFT-

20081023ARW, BLFT-20090209AAG,

BPFT-20090217ADK, BLFT-

20090227AAS, BPFT-20090406AEC,

BLFT-20090413ABL, and BPFT-

20090506ACS

W224BW, Key Largo, FL

Facility ID No. 139051

File Nos. BMPFT-20070828AAG, BLFT-

20070906AFH, BPFT-20080825AAD,

BLFT-20080929ABQ, BPFT-

20090413AFX, and BLFT-20090604ABQ

W258BQ, Homestead, FL
Facility ID No. 139054
File Nos. BMPET-20070511ADT, BLFT-
20070523ACM, BPFT-20070827ACO,
BLET-20070906AFM, BPFT-
20080807AAR, BLET-20080929ABP,
BLET-20090218ACR, BPET-
20090309AAE, BLET-20090330AEU,
BPFT-200900413AAH, BLET-
20090518AAE, and BPFT-20090601AXB

W296BP, Coral Gables, FL
Facility ID No. 141053
File Nos. BMPFT-20071001ABO, BLET-
20071002AAN, BPFT-20080225AAF,
BLET-20080305ADT, BPET-
20080804AAH, BLET-20080929ABT,
BPFT-20081022ACK, BLET-
20081030AAF, BPFT-20081103AAD,
BMPET-20081210AEQ, BLET-
20090202AAH, and BPFT-20090212AEE

Dismissed

Dismissed

Dear Licensee:

The Media Bureau is investigating potential statutory and rule violations and related instances of potential misrepresentation and/or lack of candor on the part of Broadcast Towers, Inc. (the "Licensee"). Specifically, it is alleged that the Licensee failed to comply with certain technical and operational rules and submitted false certifications and lacked candor in filings with the Commission. We direct the Licensee, pursuant to Sections 4(i), 4(j), 308(b) and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 308(b), and 403, to provide responses to the following inquiries, within thirty (30) calendar days from the date of this letter. The Licensee may supplement its responses with additional relevant information pursuant to Sections 1.17 and 1.88 of the Commission's Rules.¹

Instructions

If the Licensee requests that any information or Documents, as defined herein, responsive to this letter be treated in a confidential manner, the Licensee shall submit, along with all responsive information and Documents, a statement in accordance with Section 0.459 of the Commission's Rules. 47 C.F.R. § 0.459. Requests for confidential treatment must comply with the requirements of Section 0.459, including the standards of

¹ 47 C.F.R. §§ 1.17, 1.88.

specificity mandated by Section 0.459(b). Accordingly, "blanket" requests for confidentiality of a large set of documents are unacceptable. Pursuant to Section 0.459(c), the Bureau will not consider requests that do not comply with the requirements of Section 0.459.

If the Licensee withholds any information or Documents under claim of privilege, the Licensee shall submit, together with any claim of privilege, a schedule of the items withheld that states, individually as to each such item, the numbered inquiry to which each item responds and the type, title, specific subject matter, and date of the item; the names, addresses, positions, and organizations of all authors and recipients of the item; and the specific ground(s) for claiming that the item is privileged.

Each requested Document, as defined herein, shall be submitted in its entirety, even if only a portion of that Document is responsive to an inquiry made herein, unless the Document is a recording or transcript, in which case it should be provided only for the period of time of the broadcast specified in the pertinent inquiry herein. This means that the Document shall not be edited, cut, or expunged, and shall include all appendices, tables, or other attachments, and all other Documents referred to in the Document or attachments. All written materials necessary to understand any Document responsive to these inquiries must also be submitted.

If a Document responsive to any inquiry made herein existed but is no longer available, or if the Licensee is unable for any reason to produce a Document responsive to any inquiry, identify each such Document by author, recipient, date, title, and specific subject matter, and explain fully why the Document is no longer available or why the Licensee is otherwise unable to produce it.

With respect only to Documents responsive to the specific inquiries made herein and any other Documents relevant to those inquiries, the Licensee is directed to retain the originals of those Documents for twelve (12) months from the date of this letter unless the Licensee is directed or informed by the Media Bureau in writing to retain such Documents for some shorter or longer period of time.

The specific inquiries made herein are continuing in nature. The Licensee is required to produce in the future any and all Documents and information that are responsive to the inquiries made herein but not initially produced at the time, date and place specified herein. In this regard, the Licensee must supplement its responses (a) if the Licensee learns that, in some material respect, the Documents and information initially disclosed were incomplete or incorrect or (b) if additional responsive Documents or information are acquired by or become known to the Licensee after the initial production. The requirement to update the record will continue for twelve (12) months from the date of this letter unless the Licensee is directed or informed by the Media Bureau in writing that the Licensee's obligation to update the record will continue for some shorter or longer period of time.

For each Document or statement submitted in response to the inquiries below, indicate, by number, to which inquiry it is responsive and identify the person(s) from whose files the Document was retrieved. If any Document is not dated, state the date on which it was prepared. If any Document does not identify its author(s) or recipient(s), state, if known, the name(s) of the author(s) or recipient(s). The Licensee must identify with reasonable specificity all Documents provided in response to these inquiries.

Unless otherwise indicated, the period of time covered by these inquiries is January 1, 2005, to the present.

Definitions

For purposes of this letter, the following definitions apply:

"Any" shall be construed to include the word "all," and the word "all" shall be construed to include the word "any." Additionally, the word "or" shall be construed to include the word "and," and the word "and" shall be construed to include the word "or." The word "each" shall be construed to include the word "every," and the word "every" shall be construed to include the word "each."

"Broadcast," when used as noun, shall mean any images or audible sounds or language transmitted or disseminated over a station during the course of a television broadcast.

"Broadcast," when used as a verb, shall mean the transmission or dissemination of radio communications intended to be received by the public. The verb "broadcast" may be used interchangeably with the verb "air."

"Document" shall mean the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any broadcast, radio or television program, advertisement, book, pamphlet, periodical, contract, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form).

"Licensee" shall mean Broadcast Towers, Inc., and any predecessor-in-interest, affiliate, parent company, wholly or partially owned subsidiary, other affiliated company

or business, and all owners, including but not limited to, partners or principals, and all directors, officers, employees, or agents, including consultants and any other persons working for or on behalf of the foregoing at any time during the period covered by this letter.

Inquiries: Documents and Information to be Provided

1. State whether, at the time the Licensee filed each above-listed FCC Form 349 minor modification application regarding W237CI (file numbers BMPFT-20080317AAK, BPFT-20080701ABY, BPFT-20080825AAC, BPFT-20081022ACJ, BPFT-20081030AAB, BPFT-20090218AEU, and BPFT-20090505ACC), the Licensee had "a reasonable assurance that the specified site" would be available (FCC Form 349, Instruction L).
 - (a) If the answer is "yes," explain the basis for that answer in light of the information contained in Exhibit A.
 - (b) If the answer is "no," specify which application(s) were submitted without reasonable assurance of site availability, and the reason(s) for submitting the application(s) absent the required reasonable assurance.
 - (c) Provide a copy of all Documents relating to the securing of reasonable assurance of site availability for W237CI, including copies of all leases, records relating to the preparation and filing of the W237CI minor modification applications and any amendment(s) to those applications, telephone records, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the reasonable assurance of site availability.

2. State whether, at the time the Licensee filed each above-listed FCC Form 349 minor modification application regarding W237DK (file numbers BMPFT-20070827AEE, BPFT-20071001ABN, BPFT-20081023ABW, BPFT-20090217ADK, BPFT-20090406AEC, and BPFT-20090506ACS), the Licensee had "a reasonable assurance that the specified site" would be available (FCC Form 349, Instruction L).
 - (a) If the answer is "yes," explain the basis for that answer in light of the information contained in Exhibit A.
 - (b) If the answer is "no," specify which application(s) were submitted without reasonable assurance of site availability, and the reason(s) for submitting the application(s) absent the required reasonable assurance.
 - (c) Provide a copy of all Documents relating to the securing of reasonable assurance of site availability for W237DK, including copies of all leases, records relating to the preparation and filing of the W237DK minor modification applications and any amendment(s) to those applications, telephone records, invoices, bills, checks written or

received, credit card charges, wire transfers or deposits of funds relating to the reasonable assurance of site availability.

3. State whether, at the time the Licensee filed each above-listed FCC Form 349 minor modification application regarding W224BW (file numbers BMPFT-20070828AAG, BPFT-20080825AAD, and BPFT-20090413AFX), the Licensee had "a reasonable assurance that the specified site" would be available (FCC Form 349, Instruction L).
 - (a) If the answer is "yes," explain the basis for that answer in light of the information contained in Exhibit A.
 - (b) If the answer is "no," specify which application(s) were submitted without reasonable assurance of site availability, and the reason(s) for submitting the application(s) absent the required reasonable assurance.
 - (c) Provide a copy of all Documents relating to the securing of reasonable assurance of site availability for W224BW, including copies of all leases, records relating to the preparation and filing of the W224BW minor modification applications and any amendment(s) to those applications, telephone records, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the reasonable assurance of site availability.

4. State whether, at the time the Licensee filed each above-listed FCC Form 349 minor modification application regarding W258BQ (file numbers BMPFT-20070511ADT, BPFT-20070827ACO, BPFT-20080807AAR, BPFT-20090309AAF, BPFT-200900413AAH, and BPFT-20090601AXB), the Licensee had "a reasonable assurance that the specified site" would be available (FCC Form 349, Instruction L).
 - (a) If the answer is "yes," explain the basis for that answer in light of the information contained in Exhibit A.
 - (b) If the answer is "no," specify which application(s) were submitted without reasonable assurance of site availability, and the reason(s) for submitting the application(s) absent the required reasonable assurance.
 - (c) Provide a copy of all Documents relating to the securing of reasonable assurance of site availability for W258BQ, including copies of all leases, records relating to the preparation and filing of the W258BQ minor modification applications and any amendment(s) to those applications, telephone records, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the reasonable assurance of site availability.

5. State whether, at the time the Licensee filed each above-listed FCC Form 349 minor modification application regarding W296BP (file numbers BMPFT-20071001ABO, BPFT-20080225AAF, BPFT-20080804AAH, BPFT-

20081022ACK, BPFT-20081103AAD, BMPFT-20081210AEQ, and BPFT-20090212AEE), the Licensee had "a reasonable assurance that the specified site" would be available (FCC Form 349, Instruction L).

- (a) If the answer is "yes," explain the basis for that answer in light of the information contained in Exhibit A.
- (b) If the answer is "no," specify which application(s) were submitted without reasonable assurance of site availability, and the reason(s) for submitting the application(s) absent the required reasonable assurance.
- (c) Provide a copy of all Documents relating to the securing of reasonable assurance of site availability for W296BP, including copies of all leases, records relating to the preparation and filing of the W296BP minor modification applications and any amendment(s) to those applications, telephone records, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the reasonable assurance of site availability.

6. State whether, with the exception of the Request for Silent Special Temporary Authority currently authorized (BLSTA- 20090624AAE), W237CI (file numbers BMPFT-20080317AAK, BLFT-20080320AFB, BPFT-20080701ABY, BLFT-20080804AFG, BPFT-20080825AAC, BLFT-20080929ADH, BPFT-20081022ACJ, BLFT-20081029ADU, BPFT-20081030AAB, BLFT-20090122AAB, BLFT-20090204ABI, BPFT-20090218AEU, BLFT-20090306AAM, and BPFT-20090505ACC) has been silent for any period of 30 or more days.

- (a) If the answer is "yes," list the instances in which W237CI has been silent for 30 or more days, the approximate number of days the station was silent in each instance, the reason(s) for each such silent period, and the reason(s) for failing to notify the Commission of the station's silence.
- (b) If the answer is "no," state the average number of hours per month that W237CI Broadcast.
- (c) Provide a copy of all Documents relating to the dates and duration of the period(s) in which W237CI has been silent, including copies of all leases, personnel records, engineering records, the station's public inspection file, program logs, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the station's period(s) of operation.

7. State whether, with the exception of the Request for Silent Special Temporary Authority currently authorized (BLSTA- 20090624AAH), W237DK (file numbers BMPFT-20070827AEE, BLFT-20070906AFJ, BPFT-20071001ABN, BLFT-20071002AAM, BPFT-20081023ABW, BLFT-20090209AAG, BPFT-20090217ADK, BLFT-20090227AAS, BPFT-

20090406AEC, BLFT-20090413ABL, and BPFT-20090506ACS) has been silent for any period of 30 or more days.

- (a) If the answer is "yes," list the instances in which W237DK has been silent for 30 or more days, the approximate number of days the station was silent in each instance, the reason(s) for each such silent period, and the reason(s) for failing to notify the Commission of the station's silence.
 - (b) If the answer is "no," state the average number of hours per month that W237DK Broadcast.
 - (c) Provide a copy of all Documents relating to the dates and duration of the period(s) in which W237DK has been silent, including copies of all leases, personnel records, engineering records, the station's public inspection file, program logs, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the station's period(s) of operation.
8. State whether, with the exception of the Request for Silent Special Temporary Authority currently authorized (BLSTA- 20090624AAI), W224BW (file numbers BMPFT-20070828AAG, BLFT-20070906AFH, BPFT-20080825AAD, BLFT-20080929ABQ, BPFT-20090413AFX, and BLFT-20090604ABQ) has been silent for any period of 30 or more days.
 - (a) If the answer is "yes," list the instances in which W224BW has been silent for 30 or more days, the approximate number of days the station was silent in each instance, the reason(s) for each such silent period, and the reason(s) for failing to notify the Commission of the station's silence.
 - (b) If the answer is "no," state the average number of hours per month that W224BW Broadcast.
 - (c) Provide a copy of all Documents relating to the dates and duration of the period(s) in which W224BW has been silent, including copies of all leases, personnel records, engineering records, the station's public inspection file, program logs, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the station's period(s) of operation.
9. State whether, with the exception of the Request for Silent Special Temporary Authority currently authorized (BLSTA- 20090624AAG), W258BQ (file numbers BMPFT-20070511ADT, BLFT-20070523ACM, BPFT-20070827ACO, BLFT-20070906AFM, BPFT-20080807AAR, BLFT-20080929ABP, BLFT-20090218ACR, BPFT-20090309AAF, BLFT-

20090330AEU, BPFT-200900413AAH, BLFT-20090518AAE, and BPFT-20090601AXB) has been silent for any period of 30 or more days.

- (a) If the answer is "yes," list the instances in which W258BQ has been silent for 30 or more days, the approximate number of days the station was silent in each instance, the reason(s) for each such silent period, and the reason(s) for failing to notify the Commission of the station's silence.
- (b) If the answer is "no," state the average number of hours per month that W258BQ Broadcast.
- (c) Provide a copy of all Documents relating to the dates and duration of the period(s) in which W258BQ has been silent, including copies of all leases, personnel records, engineering records, the station's public inspection file, program logs, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the station's period(s) of operation.

10. State whether, with the exception of the Request for Silent Special Temporary Authority currently authorized (BLSTA- 20090624AAF), W296BP (file numbers BMPFT-20071001ABO, BLFT-20071002AAN, BPFT-20080225AAF, BLFT-20080305ADT, BPFT-20080804AAH, BLFT-20080929ABT, BPFT-20081022ACK, BLFT-20081030AAF, BPFT-20081103AAD, BMPFT-20081210AEQ, BLFT-20090202AAH, and BPFT-20090212AEE) has been silent for any period of 30 or more days.

- (a) If the answer is "yes," list the instances in which W296BP has been silent for 30 or more days, the approximate number of days the station was silent in each instance, the reason(s) for each such silent period, and the reason(s) for failing to notify the Commission of the station's silence.
- (b) If the answer is "no," state the average number of hours per month that W296BP Broadcast.
- (c) Provide a copy of all Documents relating to the dates and duration of the period(s) in which W296BP has been silent, including copies of all leases, personnel records, engineering records, the station's public inspection file, program logs, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the station's period(s) of operation.

11. State whether W237CI (file numbers BMPFT-20080317AAK, BLFT-20080320AFB, BPFT-20080701ABY, BLFT-20080804AFG, BPFT-20080825AAC, BLFT-20080929ADH, BPFT-20081022ACJ, BLFT-20081029ADU, BPFT-20081030AAB, BLFT-20090122AAB, BLFT-20090204ABI, BPFT-20090218AEU, BLFT-20090306AAM, and BPFT-20090505ACC) displayed at the translator site, on the structure supporting the

transmitting antenna so as to be visible to a person standing on the ground at the transmitter site, its call sign, the name, address, and telephone number of the licensee or local representative of the licensee, and the name and address of a person and place where station records are maintained.

- (a) If the answer is "yes," explain the basis for that answer in light of the photographs contained in the Opposition to Motion for Cancellation Exhibits 2 and 3.
 - (b) If the answer is "no," explain the reason(s) for not visibly displaying this information.
 - (c) Provide a copy of all Documents relating to the display of this information, including copies of the information displayed, photographs of the display(s) in use, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the display of this information.

12. State whether W237DK (file numbers BMPFT-20070827AEE, BLFT-20070906AFJ, BPFT-20071001ABN, BLFT-20071002AAM, BPFT-20081023ABW, BLFT-20090209AAG, BPFT-20090217ADK, BLFT-20090227AAS, BPFT-20090406AEC, BLFT-20090413ABL, and BPFT-20090506ACS) displayed at the translator site, on the structure supporting the transmitting antenna so as to be visible to a person standing on the ground at the transmitter site, its call sign, the name, address, and telephone number of the licensee or local representative of the licensee, and the name and address of a person and place where station records are maintained.
 - (a) If the answer is "yes," explain the basis for that answer in light of the photographs contained in the Opposition to Motion for Cancellation Exhibits 2 and 3.
 - (b) If the answer is "no," explain the reason(s) for not visibly displaying this information.
 - (c) Provide a copy of all Documents relating to the display of this information, including copies of the information displayed, photographs of the display(s) in use, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the display of this information.

13. State whether W224BW (file numbers BMPFT-20070828AAG, BLFT-20070906AFH, BPFT-20080825AAD, BLFT-20080929ABQ, BPFT-20090413AFX, and BLFT-20090604ABQ) displayed at the translator site, on the structure supporting the transmitting antenna so as to be visible to a person standing on the ground at the transmitter site, its call sign, the name, address, and telephone number of the licensee or local representative of the licensee,

and the name and address of a person and place where station records are maintained.

- (a) If the answer is "yes," explain the basis for that answer in light of the photographs contained in the Opposition to Motion for Cancellation Exhibits 2 and 3.
- (b) If the answer is "no," explain the reason(s) for not visibly displaying this information.
- (c) Provide a copy of all Documents relating to the display of this information, including copies of the information displayed, photographs of the display(s) in use, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the display of this information.

14. State whether W258BQ (file numbers BMPFT-20070511ADT, BLFT-20070523ACM, BPFT-20070827ACO, BLFT-20070906AFM, BPFT-20080807AAR, BLFT-20080929ABP, BLFT-20090218ACR, BPFT-20090309AAF, BLFT-20090330AEU, BPFT-200900413AAH, BLFT-20090518AAE, and BPFT-20090601AXB) displayed at the translator site, on the structure supporting the transmitting antenna so as to be visible to a person standing on the ground at the transmitter site, its call sign, the name, address, and telephone number of the licensee or local representative of the licensee, and the name and address of a person and place where station records are maintained.

- (a) If the answer is "yes," explain the basis for that answer in light of the photographs contained in the Opposition to Motion for Cancellation Exhibits 2 and 3.
- (b) If the answer is "no," explain the reason(s) for not visibly displaying this information.
- (c) Provide a copy of all Documents relating to the display of this information, including copies of the information displayed, photographs of the display(s) in use, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the display of this information.

15. State whether W296BP (file numbers BMPFT-20071001ABO, BLFT-20071002AAN, BPFT-20080225AAF, BLFT-20080305ADT, BPFT-20080804AAH, BLFT-20080929ABT, BPFT-20081022ACK, BLFT-20081030AAF, BPFT-20081103AAD, BMPFT-20081210AEQ, BLFT-20090202AAH, and BPFT-20090212AEE) displayed at the translator site, on the structure supporting the transmitting antenna so as to be visible to a person standing on the ground at the transmitter site, its call sign, the name, address, and telephone number of the licensee or local representative of the licensee,

and the name and address of a person and place where station records are maintained.

- (a) If the answer is "yes," explain the basis for that answer in light of the photographs contained in the Opposition to Motion for Cancellation Exhibits 2 and 3.
- (b) If the answer is "no," explain the reason(s) for not visibly displaying this information.
- (c) Provide a copy of all Documents relating to the display of this information, including copies of the information displayed, photographs of the display(s) in use, invoices, bills, checks written or received, credit card charges, wire transfers or deposits of funds relating to the display of this information.

16. Provide copies of all Documents that provide the basis for or otherwise support the responses to Inquiries 1-15, above.

We direct the Licensee to support its response with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer with personal knowledge of the representations provided in the Licensee's response, verifying the truth and accuracy of the information therein and that all of the information and/or recordings requested by this letter which are in the Licensee's possession, custody, control or knowledge have been produced. If multiple Licensee employees contribute to the response, in addition to such general affidavit or declaration of the authorized officer of the Licensee noted above, if such officer (or any other affiant or declarant) is relying on the personal knowledge of any other individual, rather than his or her own knowledge, provide separate affidavits or declarations of each such individual with personal knowledge that identify clearly to which responses the affiant or declarant with such personal knowledge is attesting. All such declarations provided must comply with Section 1.16 of the Commission's Rules, 47 C.F.R. § 1.16, and be substantially in the form set forth therein. To knowingly and willfully make any false statement or conceal any material fact in reply to this inquiry is punishable by fine or imprisonment. *See* 18 U.S.C. § 1001; *see also* 47 C.F.R. § 1.17. Failure to respond appropriately to this Media Bureau letter of inquiry may constitute a violation of the Communications Act and the Commission's Rules.²

The Licensee shall direct its response, if by messenger or hand delivery, to the attention of Tom Hutton, Audio Division, Media Bureau, Federal Communications

² *See SBC Communications, Inc.*, Forfeiture Order, 17 FCC Rcd 7589 (2002); *Globcom, Inc.*, Notice of Apparent Liability for Forfeiture and Order, 18 FCC Rcd 19893, n. 36 (2003); *World Communications Satellite Systems, Inc.*, Forfeiture Order, 19 FCC Rcd 2718 (Enf. Bur. 2004); *Donald W. Kaminski, Jr.*, Forfeiture Order, 18 FCC Rcd 26065 (Enf. Bur. 2003).

Broadcast Towers, Inc.
September 28, 2009
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Commission, c/o NATEK, 9300 East Hampton Drive, Capitol Heights, MD 20743. If sent by mail, the response should be sent to Tom Hutton, Audio Division, Media Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 2-A262, Washington, D.C. 20554.

Sincerely,

Tom Hutton
Deputy Chief, Audio Division
Media Bureau

cc: (Via Certified Mail, Return Receipt Requested)
Harry C. Martin & Davina S. Sashkin
Fletcher, Heald & Hildreth, P.L.C.
11th Floor
1700 North 17th Street
Arlington, VA 22209

Marissa G. Repp
Hogan & Hartson LLP
555 Thirteenth Street, N.W.
Washington, DC 20004

Nancy A. Ory
Lerman Senter LLC
2000 K Street, N.W.
Washington, DC 20006

Enclosure (Exhibit A)