

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

In the Matter of	)	
	)	
American Radio Brokers, Inc.	)	File No. EB-00-AN-033
	)	
Licensee of Station KAXX(AM)	)	NAL/Acct. No. X3278001
Eagle River, Alaska	)	

**MEMORANDUM OPINION AND ORDER**

**Adopted: July 25, 2001**

**Released: July 27, 2001**

By the Commission:

1. In this *Memorandum Opinion and Order* (“*Order*”), we deny the May 3, 2001 application for review filed by American Radio Brokers, Inc. (“American”), licensee of Station KAXX(AM), Eagle River, Alaska, of a *Memorandum Opinion and Order*<sup>1</sup> (“*MO&O*”) issued by the Enforcement Bureau in this proceeding. The *MO&O* denied American’s petition for reconsideration of a *Forfeiture Order*<sup>2</sup> which imposed a \$4,000 forfeiture against American for failure to respond to written Commission inquiries in willful violation of Section 1.89(b) of the Commission’s Rules (“Rules”).<sup>3</sup> American’s only argument is that the Commission lacks the “moral authority” to impose forfeitures because the Commission has not met certain statutory deadlines imposed on it relating to applications. It is regrettable that the Commission has missed certain statutory deadlines. Nevertheless, the argument that this affects the Commission’s authority to impose a forfeiture is frivolous and the Bureau properly rejected it.

2. ACCORDINGLY, IT IS ORDERED that, pursuant to Section 1.115 of the Rules,<sup>4</sup> American Radio Brokers, Inc.’s application for review IS DENIED.

3. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules<sup>5</sup> within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.<sup>6</sup> Payment shall be made by mailing a check or similar instrument, payable to the order of the Federal Communications Commission, to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note the NAL/Acct. No. X3278001. Requests for full payment

---

<sup>1</sup> *American Radio Brokers, Inc.*, DA 01-811 (Enf. Bur., April 3, 2001).

<sup>2</sup> *American Radio Brokers, Inc.*, 15 FCC Rcd 19712 (Enf. Bur., 2000).

<sup>3</sup> 47 C.F.R. § 1.89(b).

<sup>4</sup> 47 C.F.R. § 1.115.

<sup>5</sup> 47 C.F.R. § 1.80.

<sup>6</sup> 47 U.S.C. § 504(a).

---

under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.<sup>7</sup>

4. **IT IS FURTHER ORDERED** that, a copy of this *Order* shall be sent by Certified Mail Return Receipt Requested to Chester P. Coleman, c/o American Radio Brokers, Inc., 1255 Post Street, Suite 1011, San Francisco, California 94109, and to David Tillotson, Esq., 4606 Charleston Terrace, NW, Washington, D.C. 20007-1911.

FEDERAL COMMUNICATIONS COMMISSION

Magalie Roman Salas  
Secretary

---

<sup>7</sup> See 47 C.F.R. § 1.1914.