

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

In the Matter of)	
)	
Urban Radio of Pennsylvania, L.L.C.)	File No. EB-02-PA-319
)	
Radio Station WURP)	NAL/Acct. No. 200332400006
Philadelphia, Pennsylvania)	
)	
)	FRN 0004-9241-06
)	

FORFEITURE ORDER

Adopted: September 29, 2004

Released: October 1, 2004

By the Assistant Chief, Enforcement Bureau:

I. INTRODUCTION

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of twelve thousand dollars (\$12,000) to Urban Radio of Pennsylvania, L.L.C. (“Urban Radio”), licensee of Station WURP, Philadelphia, Pennsylvania, for willful and repeated violation of Sections 17.47(a), 17.48(a) and 17.51(a) of the Commission’s Rules (“Rules”).¹ The noted violations involve Urban Radio’s failure to exhibit red obstruction lighting on its antenna structure, failure to make observations of the obstruction lighting once every 24 hours and failure to notify the Federal Aviation Administration of an obstruction lighting outage.

2. On January 6, 2003, the Commission’s Philadelphia, Pennsylvania District Office (“Philadelphia Office”) issued a *Notice of Apparent Liability for Forfeiture* (“NAL”) to ICBC Broadcasting Holdings, Inc. (“ICBC”), the parent company of Urban, in the amount of fifteen thousand dollars (\$15,000).² Urban Radio filed a response to the NAL on February 5, 2003.

II. DISCUSSION

3. In its response to the NAL, Urban Radio did not dispute the violations set forth in the NAL. Urban radio requested cancellation or reduction of the proposed forfeiture, however, contending that it acted conscientiously and reasonably to correct and report the lighting outage violations once notified of the violations by the Commission agent, and emphasizing its unblemished history of overall compliance with the Commission’s rules.

4. Urban Radio’s remedial actions to promptly correct violations after they have been

¹47 C.F.R. §§ 17.47(a), 48(a), 51(a).

²*Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200332400006 (Enf. Bur., Philadelphia Office, released January 6, 2003).

identified by a Commission agent is expected and does not warrant a reduction in the forfeiture amount.³ We concur, however, with Urban Radio's assertion that the forfeiture should be reduced or cancelled in light of its overall history of compliance with the Rules.⁴ Accordingly we reduce the forfeiture amount to \$12,000.

III. ORDERING CLAUSES

5. Accordingly, **IT IS ORDERED** that, pursuant to Section 503(b) of the Act and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,⁵ Urban Radio of Pennsylvania, L.L.C., **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of twelve thousand dollars (\$12,000) for willfully and repeatedly violating Sections 17.47(a), 17.48(a) and 17.51(a) of the Rules.

6. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules 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.⁶ Payment may be made by credit card through the Commission's Credit and Debt Management Center at (202) 418-1995 or 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. Payment by overnight mail may be sent to Bank One/LB 73482, 525 West Monroe, 8TH Floor Mailroom, Chicago, Illinois 60661. Payment by wire transfer may be made to ABA Number 071000013, receiving bank Bank One, and account number 1165259. The payment must include the FCC Registration Number (FRN) and the NAL/Acct. No. referenced in the caption. Requests for full payment under an installment plan should be sent to: Chief, Credit and Debt Management Center, 445 12th Street, S.W., Washington, D.C. 20554.⁷

7. **IT IS FURTHER ORDERED** that, a copy of this *Order* shall be sent by Certified Mail Return Receipt Requested and by First Class Mail to Urban Radio's counsel, David A. O'Connor, Esq., Holland & Knight LLP, 2099 Pennsylvania Avenue NW, Suite 100, Washington, DC 20006-6801.

FEDERAL COMMUNICATIONS COMMISSION

George R. Dillon
Assistant Chief, Enforcement Bureau

³See *AT&T Wireless Services, Inc.*, 17 FCC Rcd 21861, 21864-75 (2002); *Sonderling Broadcasting Corp.*, 69 FCC 2d 289, 291 (1978); *Odino Joseph*, 18 FCC Rcd 16522, 16524 (Enf. Bur. 2003); *South Central Communications Corp.*, 18 FCC Rcd 700, 702-03 (Enf. Bur. 2003); *Northeast Utilities*, 17 FCC Rcd 4115, 4117 (Enf. Bur. 2002).

⁴See *Palouse Country, Inc.*, 17 FCC Rcd 183 (Enf. Bur. 2003) (\$10,000 forfeiture reduced to \$8,000 due to station's overall history of compliance, but station's remedial actions, while commendable were not a factor in considering the reduction).

⁵47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

⁶47 U.S.C. § 504(a).

⁷See 47 C.F.R. § 1.1914.

