

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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| In the Matter of |) | |
| |) | File No. EB-98-DV-322 |
| TACO TIME |) | NAL Acct. No. 815DV0002 |
| Rock Springs, Wyoming |) | |

ORDER

Adopted: July 14, 2000

Released: July 18, 2000

By the Chief, Enforcement Bureau:

1. In this Order, we adopt a Consent Decree terminating a forfeiture proceeding against TACO TIME RESTAURANT (“TACO TIME”) concerning unauthorized operation of a radio transmitter in violation of Section 301 of the Communications Act of 1934, as amended (the “Act”).¹ TACO TIME agrees to implement a comprehensive Compliance Program to ensure continued compliance with the Act and the Commission’s Rules and policies. In addition, TACO TIME agrees to make a voluntary contribution to the U.S. Treasury of \$1,500.

2. The former Compliance and Information Bureau assessed an \$11,000 forfeiture against TACO TIME for unlicensed operation of radio transmitters in violation of Section 301 of the Act.² TACO TIME has indicated that the \$11,000 forfeiture could impose an overwhelming hardship on its business.

3. The Enforcement Bureau staff and TACO TIME have negotiated the terms of a Consent Decree that would terminate this proceeding. A copy of the Consent Decree is attached hereto and incorporated by reference.

4. We have reviewed the terms of the Consent Decree and evaluated the facts before us. We believe that the public interest would be served by approving the Consent Decree and terminating this proceeding.

5. Accordingly, **IT IS ORDERED**, pursuant to Sections 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C §§ 154(i) and 154(j), and the authority delegated in Sections 0.111 and 0.311 of the Commission’s Rules, 47 C.F.R. §§ 0.111 and 0.311, that the attached Consent Decree is hereby **ADOPTED**.

6. **IT IS FURTHER ORDERED** that the voluntary contribution referenced in the Consent Decree shall be paid by a check or money order drawn to the order of the “Federal Communications Commission.” Reference should be made on the check or money order to

¹ 47 U.S.C. § 301.

² See *Taco Time*, 14 FCC Rcd 2904 (Compl. & Inf. Bur. 1999); *recon. denied*, 15 FCC Rcd 1319 (Enf. Bur. 1999).

“Acct. No. 815DV0002.” The remittance should be sent to: Forfeiture Collection Section, Finance Branch, Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482.

7. **IT IS FURTHER ORDERED** that the above captioned forfeiture proceeding **IS TERMINATED**.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau