

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

In the Matter of)	
)	File No. EB-99-PA-076
Michael E. Gallagher)	
)	NAL Acct. No 915PA0007
Licensee of Amateur Radio Station KB1DTA)	
West Concord, Massachusetts)	

ORDER

Adopted: December 18, 2000

Released: December 20, 2000

By the Chief, Enforcement Bureau:

1. In this Order, we adopt a Consent Decree terminating a forfeiture proceeding against Michael E. Gallagher ("Gallagher") concerning operation of an Amateur Radio transmitter in violation of Sections 97.101(a), 97.101(d), 97.113(a)(4) and 97.119(a) of the Commission's Rules.¹

2. The former Compliance and Information Bureau issued a Notice of Apparent Liability to Gallagher in the amount of \$7,500 for the rule violations.² Gallagher has stated that payment of the \$7,500 would cause financial hardship and has submitted financial documentation in support of that claim. Gallagher has submitted his Amateur license for cancellation and agrees not to re-apply for an Amateur license for a period of five years.

3. The Enforcement Bureau staff and Gallagher 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.

¹ 47 C.F. R. Sections 97.101(a), 97.101(d), 97.113(a)(4), 97.119(a).

² *Notice of Apparent Liability*, NAL/Acct. No. 915PA0007, released March 10, 1999.

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 above captioned forfeiture proceeding **IS TERMINATED**.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau