

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

<b>In the Matter of</b>	)	
	)	<b>File No.: EB-01-ST-040</b>
<b>Alan-Leonard Brockway</b>	)	
	)	<b>NAL/Acct. No. 200132980001</b>
<b>Kalispell, Montana</b>	)	

**MEMORANDUM OPINION AND ORDER**

**Adopted: July 3, 2001**

**Released: July 6, 2001**

By the Chief, Enforcement Bureau:

1. In this *Memorandum Opinion and Order* (“*Order*”), we deny the petition of Alan-Leonard Brockway (“*Brockway*”) for reconsideration<sup>1</sup> of the *Forfeiture Order* released in this proceeding on May 23, 2001.<sup>2</sup> Brockway’s petition contains nothing that is relevant to the issues in this proceeding, and we find no basis for reconsidering the *Forfeiture Order*.

2. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 405 of the Communications Act of 1934, as amended (“*Act*”),<sup>3</sup> and Section 1.106 of the Rules, Alan-Leonard Brockway’s petition for reconsideration of the May 23, 2001, *Forfeiture Order* **IS DENIED**.

3. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules<sup>4</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>5</sup> Payment may 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 “NAL/Acct. No. 200132980001,” referenced above. Requests for full payment under an installment plan should be sent to: Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.<sup>6</sup>

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<sup>1</sup> In response to the *Forfeiture Order* released on May 23, 2001, Brockway filed a document entitled “Judicial Notice demanded: Notice of estoppel to proceed for want of subject matter jurisdiction in rem and in personam, in chancery.” We are construing this document to be a petition for reconsideration pursuant to Section 1.106 of the Commission’s Rules (“*Rules*”), 47 C.F.R. § 1.106.

<sup>2</sup> *Alan-Leonard Brockway*, DA 01-1263 (Enf. Bur., released May 23, 2001, imposing a forfeiture of \$17,000 for willful and repeated violation of Section 301 of the Act and willful violation of Section 303(n) of the Act ).

<sup>3</sup> 47 U.S.C. § 405.

<sup>4</sup> 47 C.F.R. § 1.80.

<sup>5</sup> 47 U.S.C. § 504(a).

<sup>6</sup> See 47 C.F.R. § 1.1914.

4. **IT IS FURTHER ORDERED** that a copy of this Order shall be sent by Certified Mail -- Return Receipt Requested -- to Alan-Leonard Brockway at 5663 Highway 35, Kalispell, Montana 59901, and at 6477 Hwy. 93 South, #223, Whitefish, Montana 59937.

**FEDERAL COMMUNICATIONS COMMISSION**

David H. Solomon  
Chief, Enforcement Bureau

