

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

In the Matter of)	
)	
Jeffrey Alan Pettrey)	File No. EB-01-CF-148
)	
Princeton, West Virginia)	NAL/Acct. No. 200132340003
)	
)	FRN 0005-0236-01

MEMORANDUM OPINION AND ORDER

Adopted: December 13, 2001

Released: December 17, 2001

By the Chief, Enforcement Bureau:

1. In this *Memorandum Opinion and Order* (“*Order*”), we cancel the proposed monetary forfeiture in the amount of ten thousand dollars (\$10,000) issued to Jeffrey Alan Pettrey for his apparent violation of Section 301 of the Communications Act of 1934, as amended (“the Act”).¹ The noted violation involved operation of an unlicensed radio transmitter.

2. On July 30, 2001, the District Director of the Commission's Columbia, Maryland Field Office issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”)² in the amount of \$10,000 to Mr. Pettrey for the noted violation. Mr. Pettrey filed a response to the *NAL* on August 7, 2001 accompanied by documentation regarding his ability to pay the proposed forfeiture. After reviewing Mr. Pettrey's response, we conclude that cancellation of the proposed \$10,000 forfeiture is warranted based on Mr. Pettrey’s inability to pay the proposed forfeiture.

3. Accordingly, **IT IS ORDERED** that, pursuant to Section 504(b) of the Act³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission's Rules,⁴ the forfeiture in the amount of ten thousand dollars (\$10,000) proposed in the July 30, 2001 *NAL* issued to Jeffrey Alan Pettrey **IS CANCELLED**.

¹ 47 U.S.C. § 301.

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200132340003 (Enf. Bur., Columbia Office, released July 30, 2001).

³ 47 U.S.C. § 504(b).

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

4. **IT IS FURTHER ORDERED** that, a copy of this *Order* shall be sent by Certified Mail Return Receipt Requested to Jeffrey Alan Pettrey at 4014 West Main Street, Princeton, West Virginia 24740.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau