

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

In the Matter of)	
)	
Richard E. LaPierre)	File Number EB-00-BS-212
Seabrook, New Hampshire)	NAL/Acct. No. X32260001

MEMORANDUM OPINION AND ORDER

Adopted: April 10, 2001

Released: April 12, 2001

By the Chief, Enforcement Bureau:

1. In this Memorandum Opinion and Order (“Order”), we affirm a monetary forfeiture in the amount of four thousand dollars (\$4,000) that we issued to Richard E. LaPierre¹ for willfully and repeatedly violating Section 1.89(b) of the Commission’s Rules (“Rules”).² The noted violations involve Mr. LaPierre’s failure to respond to four written Commission inquiries regarding his marine radio station.

2. Mr. LaPierre submitted U.S. and New Hampshire Individual and Sole Proprietorship tax returns to support his contention that the \$4,000 forfeiture would cause “unfair hardship” to his family. Mr. LaPierre’s combined gross income and gross sales amounted to \$178,947 in 1999 and \$179,048 in 1998. After reviewing his financial documentation, we find that the \$4,000 forfeiture is reasonable given his gross income and gross sales.³

3. Accordingly, **IT IS ORDERED THAT**, payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules,⁴ 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 Communications Act of 1934, as amended.⁵ 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 the NAL/Acct. No. X32260001 referenced above. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.⁶

¹ *Richard E. LaPierre*, 15 FCC Rcd 23525 (Enf. Bur. 2000).

² 47 C.F.R. § 1.89(b).

³ *See PJB Communications*, 7 FCC Rcd 2088 (1992).

⁴ 47 C.F.R. § 1.80.

⁵ 47 U.S.C. § 504(a).

⁶ *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 Richard E. LaPierre, 6 Zagarella Circle, Seabrook, New Hampshire 03874.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau