

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

In the Matter of)	
)	
Colorado Callcomm, Inc.)	File Number EB-00-TS-017
7000 North Broadway)	
Building 2, Suite 203)	
Denver, Colorado 80221)	NAL/Acct. No. 915DV0014

MEMORANDUM OPINION AND ORDER

Adopted: April 17, 2001

Released: April 19, 2001

By the Chief, Enforcement Bureau:

1. In this Memorandum Opinion and Order (“Order”), we rescind a monetary forfeiture in the amount of ten thousand dollars (\$10,000) that was issued to Colorado Callcomm, Inc. (“Callcomm”) for willfully and repeatedly violating Section 301 of the Communications Act of 1934 (“Act”), as amended.¹ The noted violations involve Callcomm’s operation of an unlicensed radio station near Plainview, Colorado.²

2. In Callcomm’s Petition for Reconsideration, Callcomm, *inter alia*, identifies the licensee purportedly responsible for the radio operation from an unlicensed frequency, and claims that such operation was caused by a malfunctioning transmitter. We have considered Callcomm’s arguments and reviewed the record, and we conclude that the record is insufficient to support a finding that Callcomm operated an unlicensed radio station.

3. Accordingly, **IT IS ORDERED THAT**, pursuant to Section 504(b) of the Act, and Sections 0.111, 0.311, and 1.80 of the Commission’s Rules (“Rules”),³ the monetary forfeiture issued against Callcomm **IS RESCINDED**, and that pursuant to Section 1.106 of the Rules,⁴ Callcomm’s Petition for Reconsideration **IS GRANTED** to the extent indicated herein and **IS DENIED** in all other aspects.

¹ 47 U.S.C. § 301.

² *Colorado Callcomm, Inc.*, 15 FCC Rcd 9397 (Enf. Bur. 2000).

³ 47 C.F.R. §§ 0.11, 0.311, and 1.80.

⁴ 47 C.F.R. § 1.106.

4. **IT IS FURTHER ORDERED** that a copy of this Order shall be sent by Certified Mail Return Receipt Requested to Colorado Callcomm, Inc., 7000 North Broadway, Building 2, Suite 203, Denver, Colorado 80221, and to its counsel, Russell Fox, Esquire, Gardner, Carton & Douglas, 1301 K Street, N.W., Suite 900, East Tower, Washington, D.C. 20005-3317.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau