

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

In the Matter of)	
)	
Air Paging, Inc.)	File No.: EB-02-MA-023
Licensee of Radio Station WPPB501)	NAL/Acct. No. 200332600001
North Miami Beach, Florida)	FRN 0003-7891-04

FORFEITURE ORDER

Adopted: August 27, 2003

Released: September 2, 2003

By the Chief, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of nine thousand dollars (\$9,000) to Air Paging, Inc. (“Air Paging”), licensee of Radio Station WPPB501, North Miami Beach, Florida, for willful and repeated violation of Sections 1.903(a), 90.403(f) and 90.425(a) of the Commission’s Rules (“Rules”).¹ The noted violations involve Air Paging’s failure to operate its Wireless Radio Station in accordance with its station authorization, continuous radiation of an unmodulated carrier, and failure to provide station identification by the assigned call sign.

2. On March 18, 2003, the Commission’s Miami, Florida Resident Agent Office (“Miami Office”) issued a *Notice of Apparent Liability for Forfeiture* (“NAL”) in the amount of \$9,000 to Air Paging.² Air Paging has not filed a response to the NAL. Based on the information before us, we affirm the forfeiture.

3. Finally, we note that it is unclear from the record before us what steps, if any, Air Paging has taken to correct the violations cited in the NAL and to ensure that these violations do not recur in the future. Accordingly, we will require pursuant to Section 308(b) of the Communications Act of 1934, as amended, (“Act”),³ that Air Paging submit a report to the Enforcement Bureau within 30 days of the release of this *Order* outlining what measures it has taken or will take to correct the violations and ensure that they do not recur. Air Paging’s report must be submitted in the form of an affidavit or declaration signed by an officer or director of Air Paging.⁴

4. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Act,⁵ and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,⁶ Air Paging **IS LIABLE FOR A MONETARY**

¹ 47 C.F.R. §§ 1.903(a), 90.403(f) and 90.425(a).

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200332600001 (Enf. Bur., Miami Office, released March 18, 2003).

³ 47 U.S.C. § 308(b).

⁴ Such affidavit or declaration should comply with Section 1.16 of the Rules, 47 C.F.R. § 1.16, and be substantially in the form set forth herein.

⁵ 47 U.S.C. § 503(b).

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

FORFEITURE in the amount of \$9,000 for willfully and repeatedly violating Sections 1.903(a), 90.403(f) and 90.425(a) of the Rules.

5. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules 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.⁷ Payment shall 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. 200332600001, and FRN 0003-7891-04. 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. 20554.⁸

6. **IT IS FURTHER ORDERED** that, pursuant to Section 308(b) of the Act, Air Paging must submit the report described in paragraph 3 no later than thirty (30) days from the date of the release of this *Order* to: Federal Communications Commission, Enforcement Bureau, Spectrum Enforcement Division, 445 12th Street, S.W., Washington, D.C. 20554, Attention: Carmen Suarez.

7. **IT IS FURTHER ORDERED** that, a copy of this *Order* shall be sent by first class mail and certified mail, return receipt requested, to Air Paging, Inc., at 469 NE 167 Street, North Miami Beach, Florida 33162 and 1000 N. Hiatus Road, Suite 110, Pembroke Pines, Florida 33026.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

⁷ 47 U.S.C. § 504(a).

⁸ See 47 C.F.R. § 1.1914.