

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

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| In the Matter of |) | File No.: EB-04-OR-094 |
| |) | |
| Jason Konarz |) | NAL/Acct. No.: 200432620004 |
| Licensee of WQMA(AM) |) | |
| Marks, Mississippi |) | FRN: 0005015425 |
| |) | |

FORFEITURE ORDER

Adopted: October 5, 2004

Released: October 8, 2004

By the Assistant Chief, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of twenty thousand dollars (\$20,000) to Jason Konarz (“Konarz”), licensee of radio station WQMA(AM), Marks, Mississippi, for willful and repeated violation of Sections 11.35(a), 73.1745(a), and 73.3526(c) of the Commission’s Rules (“Rules”).¹ The noted violations involve Konarz’s failure to install and maintain operational Emergency Alert System (“EAS”) equipment, failure to operate consistent with authorized power levels and discontinue operating at night, and failure to make available for inspection all of the required materials in the station’s public inspection file.

2. On July 21, 2004, the District Director of the Commission’s New Orleans Field Office (“New Orleans Office”) issued a *Notice of Apparent Liability for Forfeiture* (“NAL”) in the amount of \$20,000 to Konarz.² Konarz has not filed a response to the NAL. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended (“Act”),³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission’s Rules,⁴ Jason Konarz **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$20,000 for willfully and repeatedly violating Sections 11.35(a), 73.1745(a), and 73.3526(c) of the Rules.

4. 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.⁵ Payment by check or money order may be mailed to Forfeiture Collection Section, Finance Branch,

¹47 C.F.R. §§ 11.35(a), 73.1745(a), 73.3526(c).

²*Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200432620004 (Enf. Bur., New Orleans Office, released July 21, 2004).

³47 U.S.C. § 503(b).

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

⁵47 U.S.C. § 504(a).

Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. Payment by overnight mail may be sent to Bank One/LB 73482, 525 West Monroe, 8th Floor Mailroom, Chicago, IL 60661. Payment by wire transfer may be made to ABA Number 071000013, receiving bank Bank One, and account number 1165259. The payment should note NAL/Acct. No. 200432620004, and FRN 0005015425. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Group, 445 12th Street, S.W., Washington, D.C. 20554.⁶

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class Mail and Certified Mail Return Receipt Requested to Jason Konarz, Route 2, Box 290A, Marks, Mississippi 38646.

FEDERAL COMMUNICATIONS COMMISSION

George R. Dillon
Assistant Chief, Enforcement Bureau

⁶See 47 C.F.R. § 1.1914.