

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

In the Matter of)	
)	
Business Cell Systems)	File Number EB-02-AT-415
Owner of Antenna Structure #1216842 near Tellico)	NAL/Acct. No. 200332480015
Plains, Tennessee)	FRN: 0005-8658-60
Athens, Tennessee)	
)	

MEMORANDUM OPINION AND ORDER

Adopted: October 13, 2004

Released: October 15, 2004

By the Chief, Enforcement Bureau:

1. In this *Memorandum Opinion and Order* (“*Order*”), we grant the Petition for Reconsideration of the Enforcement Bureau’s *Forfeiture Order*¹ in the above captioned matter filed by Business Cell Systems (“Business Cell”) on August 26, 2004. Business Cell seeks cancellation or reduction of the forfeiture because of inability to pay. Based on our review of the financial information provided by Business Cell, we conclude that an eight thousand dollar (\$8,000) forfeiture would impose a financial hardship on the licensee. Therefore, we reduce the forfeiture to one thousand dollars (\$1,000).

2. Accordingly, **IT IS ORDERED** that, pursuant to Section 405 of the Communications Act of 1934 as amended, and Sections 1.80(i) and 1.106 of the Rules,² Business Cell’s Petition for Reconsideration **IS GRANTED**, and the \$8,000 forfeiture is reduced to one thousand dollars (\$1,000) for Business Cell’s willful and repeated violation of Section 17.51(b) of the Rules.

3. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Commission’s Rules³ 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.⁴ Payment may be made by credit card through the Commission’s Credit and Debt Management Center at (202) 418-1995 or 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. Payment by overnight mail may be sent to Bank One/LB 73482, 525 West Monroe, 8th Floor Mailroom, Chicago, Illinois 60661. Payment by wire transfer may be made to ABA Number 071000013, receiving bank Bank One, and account number 1165259. The payment must include the FCC Registration Number (FRN) and the NAL/Acct. No. referenced in the caption.

¹ 19 FCC Rcd 13847 (Enf. Bur. 2004).

² 47 U.S.C. § 405; 47 C.F.R. § § 1.80(i) and 1.106.

³ 47 C.F.R. § 1.80.

⁴ 47 U.S.C. § 504(a).

Requests for full payment under an installment plan should be sent to: Chief, Credit and Debt Management Center, 445 12th Street, S.W., Washington, D.C. 20554.⁵

4. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by Certified Mail, Return Receipt Requested, and by First Class Mail to Business Cell Systems, P.O. Box 1374, Athens, TN 37371.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

⁵ See 47 C.F.R. § 1.1914.