

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

In the Matter of
Dead Air Broadcasting Company, Inc.
Owner of Unregistered Antenna Structure
Dillon, Montana
File Number EB-03-ST-090
NAL/Acct. No.200432980001
FRN 0010640480

MEMORANDUM OPINION AND ORDER

Adopted: February 24, 2005

Released: February 28, 2005

By the Assistant Chief, Enforcement Bureau:

1. In this Memorandum Opinion and Order ("Order"), we cancel a proposed monetary forfeiture in the amount of three thousand dollars (\$3,000) issued to Dead Air Broadcasting Company, Inc. ("Dead Air"), licensee of Station KDBM(AM), Dillon, Montana, and owner of the station's antenna structure, and admonish Dead Air for its violation of Section 17.4(a) of the Commission's Rules ("Rules").

2. On March 29, 2004, the District Director of the Commission's Seattle, Washington, Field Office ("Seattle Office") issued a Notice of Apparent Liability for Forfeiture ("NAL") to Dead Air in the amount of three thousand dollars (\$3,000) for apparent willful and repeated violation of Section 17.4(a) of the Rules.

3. Accordingly, IT IS ORDERED that, pursuant to Section 503(b) of the Communications Act of 1934, as amended and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules, the proposed \$3,000 forfeiture issued to Dead Air Broadcasting, Inc. IS CANCELLED.

4. IT IS FURTHER ORDERED that Dead Air Broadcasting, Inc., IS ADMONISHED for failure to register its tower.

5. IT IS FURTHER ORDERED that a copy of this Order shall be sent by First Class and

1 47 C.F.R. § 17.4(a).

2 47 C.F.R. § 17.4(a).

3 See Notice of Apparent Liability for Forfeiture, NAL/Acct. No. 200432980001 (Enf. Bur., Seattle Office, released March 29, 2004).

4 47 U.S.C. § 503(b).

5 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

Certified Mail, Return Receipt Requested, to Jo Ann Juliano, President, Dead Air Broadcasting Company, Inc., 610 N. Montana Street, Dillon, Montana 59725.

FEDERAL COMMUNICATIONS COMMISSION

George R. Dillon
Assistant Chief, Enforcement Bureau