

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

In the Matter of)
Gilmore Broadcasting Corporation) File No. EB-06-SE-080
) NAL/Acct. No. 200632100014
) FRN # 0002062396
)
)
)

FORFEITURE ORDER

Adopted: August 17, 2006

Released: August 21, 2006

By the Chief, Spectrum Enforcement Division, Enforcement Bureau:

1. In this Forfeiture Order ("Order"), we issue a monetary forfeiture in the amount of four thousand dollars (\$4,000) against Gilmore Broadcasting Corporation ("Gilmore"), licensee of satellite earth station, E950187, Evansville, Indiana, for operating its earth station without Commission authority and for failing to timely file a renewal application. Gilmore acted in apparent willful and repeated violation of Section 301 of the Communications Act of 1934, as amended, ("Act")¹ and Sections 25.102(a) and 25.121(e) of the Commission's Rules ("Rules").²

2. On June 5, 2006, the Spectrum Enforcement Division issued a Notice of Apparent Liability for Forfeiture ("NAL") in the amount of \$4,000 to Gilmore.³ Gilmore has not filed a response to the NAL. Based on the information before us, we affirm this forfeiture.

3. Accordingly, IT IS ORDERED THAT, pursuant to Section 503(b) of the Act⁴, and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,⁵ Gilmore Broadcasting Corporation IS LIABLE FOR A MONETARY FORFEITURE in the amount of four thousand dollars (\$4,000) for willfully and repeatedly violating Section 301 of the Act and Sections 25.102(a) and 25.121(e) 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.⁶ Payment of the forfeiture must be made by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Acct. No. and FRN No. referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 358340, Pittsburgh, PA 15251-8340. Payment by overnight mail may be sent to

1 47 U.S.C. § 301.

2 47 C.F.R. §§ 25.102(a) and 25.121(e).

3 Gilmore Broadcasting Corporation, 21 FCC Rcd 6284 (2006).

4 47 U.S.C. § 503(b).

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

6 47 U.S.C. § 504(a).

Mellon Bank /LB 358340, 500 Ross Street, Room 1540670, Pittsburgh, PA 15251. Payment by wire transfer may be made to ABA Number 043000261, receiving bank Mellon Bank, and account number 911-6106. 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. 20554.⁷

5. **IT IS FURTHER ORDERED** that a copy of this *Forfeiture Order* shall be sent by first class mail and certified mail return receipt requested to counsel for Gilmore Broadcasting Corporation, Martha E. Heller, Esq., Wiley Rein & Fielding LLP, 1776 K Street, N.W., Washington, D.C. 20006.

FEDERAL COMMUNICATIONS COMMISSION

Joseph P. Casey
Chief, Spectrum Enforcement Division
Enforcement Bureau

⁷ See 47 C.F.R. § 1.1914.