

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

In the Matter of)	
)	File Number: EB-07-SD-371
Action Communications, Inc.)	
)	NAL/Acct. No.: 200832940002
Tucson, Arizona)	FRN: 0004527958
)	

FORFEITURE ORDER

Adopted: May 28, 2008

Released: May 30, 2008

By the Regional Director, Western Region, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of four thousand dollars (\$4,000) to Action Communications, Inc. (“*Action*”), licensee of Commercial Mobile Radio Service and Specialized Mobile Radio stations in Tucson, Arizona, for willful and repeated violations Sections 308(b) and 403 of the Communications Act of 1934, as amended (“*Act*”).¹ The noted violations involve Action’s failure to respond to Commission correspondence requiring written statements of fact relating to the operation of a General Mobile Radio Service (“*GMRS*”) station.

2. On February 25, 2008, the District Director of the Enforcement Bureau’s San Diego Office issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”) in the amount of \$4,000 to Action.² Despite evidence that Action received the *NAL*, Action 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 Act,³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission’s Rules,⁴ Action Communications, Inc., **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$4,000 for willfully and repeatedly violating Sections 308(b) and 403 of the Act.⁵

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

¹ 47 U.S.C. §§ 308(b), 403.

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200832940002 (Enf. Bur., Western Region, San Diego Office, released February 25, 2008).

³ 47 U.S.C. § 503(b).

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

⁵ 47 U.S.C. §§ 308(b), 403.

⁶ 47 U.S.C. § 504(a).

Federal Communications Commission. The payment must include the NAL/Account Number and FRN Number referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000. Payment by overnight mail may be sent to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101. Payment by wire transfer may be made to ABA Number 021030004, receiving bank TREAS/NYC, and account number 27000001. For payment by credit card, an FCC Form 159 (Remittance Advice) must be submitted. When completing the FCC Form 159, enter the NAL/Account number in block number 23A (call sign/other ID), and enter the letters “FORF” in block number 24A (payment type code). Requests for full payment under an installment plan should be sent to: Chief Financial Officer -- Financial Operations, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554. Please contact the Financial Operations Group Help Desk at 1-877-480-3201 or Email: ARINQUIRIES@fcc.gov with any questions regarding payment procedures. Action Communications, Inc., shall also send electronic notification on the date said payment is made to WR-Response@fcc.gov.

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 Action Communications, Inc., at its address of record.

FEDERAL COMMUNICATIONS COMMISSION

Rebecca L. Dorch
Regional Director, Western Region
Enforcement Bureau