

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

In the Matter of	)	
	)	
Michael T. Kersnowski	)	File Number: EB-08-PO-0044
d/b/a www.radioactiveradios.com	)	NAL/Acct. No.: 200832920002
	)	FRN: 0017594524
Salem, Oregon	)	

**FORFEITURE ORDER**

**Adopted: July 28, 2008**

**Released: July 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 seven thousand dollars (\$7,000) to Michael T. Kersnowski (“Kersnowski”), d/b/a [www.radioactiveradios.com](http://www.radioactiveradios.com), in Salem, Oregon, for willful and repeated violation of Section 302(b) of the Communications Act of 1934, as amended (“*Act*”),<sup>1</sup> and Section 2.803(a)(1) of the Commission’s Rules (“*Rules*”).<sup>2</sup> The noted violations involve Kersnowski’s marketing and offering for sale non-certified Citizens Band (“*CB*”) transceivers.

2. On March 28, 2008, the Resident Agent of the Enforcement Bureau’s Portland Resident Agent Office issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”) in the amount of \$7,000 to Kersnowski for offering for sale non-certified *CB* transceivers in violation of Section 302(b) of the *Act* and Section 2.803(a)(1) of the *Rules*.<sup>3</sup> Despite evidence that Kersnowski and his counsel received the *NAL*, Kersnowski 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*,<sup>4</sup> and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission’s *Rules*,<sup>5</sup> Michael T. Kersnowski, **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$7,000 for willfully and repeatedly violating Section 302(b) of the *Act*,<sup>6</sup> and Section 2.803(a)(1) of the *Rules*.<sup>7</sup>

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the

<sup>1</sup> 47 U.S.C. § 302a(b).

<sup>2</sup> 47 C.F.R. § 2.803(a)(1).

<sup>3</sup> *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200832920002 (Enf. Bur., Western Region, Portland Resident Agent Office, released March 28, 2008).

<sup>4</sup> 47 U.S.C. § 503(b).

<sup>5</sup> 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

<sup>6</sup> 47 U.S.C. § 302a(b).

<sup>7</sup> 47 C.F.R. § 2.803(a)(1).

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.<sup>8</sup> 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/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](mailto:ARINQUIRIES@fcc.gov) with any questions regarding payment procedures. Michael T. Kersnowski shall also send electronic notification on the date said payment is made to [WR-Response@fcc.gov](mailto: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 Michael T. Kersnowski, at his address of record, and Michael Olson, his counsel of record.

**FEDERAL COMMUNICATIONS COMMISSION**

Rebecca L. Dorch  
Regional Director, Western Region  
Enforcement Bureau

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<sup>8</sup> 47 U.S.C. § 504(a).