

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

In the Matter of)	
)	
Shimmick Construction Company, Inc./)	File Number: EB-09-LA-0068
Obayashi Corporation, Joint Venture)	
)	NAL/Acct. No.: 200932900007
Licensees of Stations WQER756, WQEN793,)	FRN: 0019140391
WQJI360 & WQKG818)	
Yorba Linda, CA)	

FORFEITURE ORDER

Adopted: May 10, 2010

Released: May 12, 2010

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 Shimmick Construction Company Inc./Obayashi Corporation, Joint Venture, (“Shimmick-Obayashi”), in Yorba Linda, California, licensees of stations WQER756, WQEN793, WQJI360 and WQKG818, for repeated violation of Section 1.903(a) of the Commission’s Rules (“Rules”).¹ The noted violation involves Shimmick-Obayashi’s failure to operate only in accordance with the rules applicable to their particular service as set forth in the Commission’s Rules and with a valid authorization granted by the Commission.

2. On September 28, 2009, the Enforcement Bureau’s Los Angeles District Office issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”) in the amount of \$4,000 to Shimmick-Obayashi for failing to operate only in accordance with the rules applicable to their particular service as set forth in the Commission’s Rules and with a valid authorization granted by the Commission, in violation of Section 1.903(a) of the Rules.² Despite evidence that Shimmick-Obayashi received the *NAL*, Shimmick-Obayashi 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 Shimmick Construction Company Inc./Obayashi Corporation, Joint Venture, **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$4,000 for repeatedly violating Section 1.903(a) of the Act.⁵

¹ 47 C.F.R. § 1.903(a).

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200932900007 (Enf. Bur., Western Region, Los Angeles District Office, released September 28, 2009).

³ 47 U.S.C. § 503(b).

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

⁵ 47 C.F.R. § 1.903(a).

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/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. Shimmick Construction Company Inc./Obayashi Corporation, Joint Venture, 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 Shimmick Construction Company Inc./Obayashi Corporation, Joint Venture, at its address of record.

FEDERAL COMMUNICATIONS COMMISSION

Rebecca L. Dorch
Regional Director, Western Region
Enforcement Bureau

⁶ 47 U.S.C. § 504(a).