

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

In re Application of)	
)	
Amazing Grace Church)	Facility ID No. 193673
)	NAL/Acct. No. MB-202141410018
For Renewal of License for)	FRN: 0023046592
Station KILB-LP)	File No. 0000107635
Paron, Arkansas)	

ORDER

Adopted: July 23, 2021

Released: July 23, 2021

By the Chief, Audio Division, Media Bureau:

I. INTRODUCTION

1. The Media Bureau (Bureau) has before it a request to cancel a Notice of Apparent Liability (NAL)¹ issued to Amazing Grace Church (Licensee), licensee of KILB-LP, Paron, Arkansas (Station), for apparently willfully violating section 73.3539 of the Commission's rules (Rules) by failing to timely file a license renewal application for the Station. As discussed below, we cancel the forfeiture and instead admonish Licensee for the violation.

II. BACKGROUND

2. The Commission's base forfeiture amount for the failure to file a required form is \$3,000.² In the NAL, the Bureau proposed a reduced forfeiture amount of \$1,500 based upon the specific circumstances of this case.³ Licensee was instructed to provide a response within thirty days of receipt of the NAL. No response was filed, and on June 11, 2021, the Bureau issued a Forfeiture Order for failure to timely file the renewal application.⁴ Licensee subsequently responded to the NAL claiming that the proposed forfeiture would pose a financial hardship,⁵ and then submitted additional supporting information at the Bureau's request.⁶

III. DISCUSSION

3. As noted in the NAL, the Commission will not consider reducing or canceling a forfeiture in response to claimed inability to pay unless the respondent submits: (1) federal tax returns for the most

¹ *Amazing Grace Church*, Memorandum Opinion and Order and Notice of Apparent Liability for Forfeiture, 36 FCC Rcd 4747 (MB 2021) (NAL).

² See *Forfeiture Policy Statement and Amendment of Section 1.80(b) of the Rules to Incorporate the Forfeiture Guidelines*, Report and Order, 12 FCC Rcd 17087, 17113-15 (1997) (*Forfeiture Policy Statement*), recon. denied, 15 FCC Rcd 303 (1999); 47 CFR § 1.80(b)(4), note to paragraph (b)(4), section I.

³ As an LPFM station, the Station is providing a secondary service. See, e.g., *Virginia Center for Public Press*, Memorandum Opinion and Order and Notice of Apparent Liability, 34 FCC Rcd 9312 (MB 2019) (proposing \$1,500 forfeiture for untimely filed renewal application for LPFM station).

⁴ *Amazing Grace Church*, Forfeiture Order, DA 21-678 (MB Jun. 11, 2021) (*Forfeiture Order*).

⁵ Email from Perry R. Owen to Alexander Sanjenis, Audio Division, FCC Media Bureau (June 18, 2021, 9:30 AM EDT).

⁶ Letter from Galen Nelson, Amazing Grace Church, to Albert Shuldiner, Chief, Audio Division, Media Bureau (Jun. 27, 2021).

recent three-year period; (2) financial statements prepared according to generally accepted accounting practices; or (3) some other reliable and objective documentation that accurately reflects the respondent's current financial status.⁷ Although Licensee did not timely respond to the *NAL*, we accept Licensee's showing that payment of the proposed forfeiture would create a financial hardship. Licensee indicates that it is a small community church with an average attendance of roughly 12 people. Licensee also submits bank statements for a period of three months as evidence of its inability to pay the forfeiture. Accordingly, we will cancel the proposed forfeiture. However, we admonish Licensee for its willful violation of section 73.3539 of the Rules.

IV. ORDERING CLAUSES

4. Accordingly, **IT IS ORDERED** that, pursuant to section 504(b) of the Communications Act of 1934, as amended,⁸ and sections 0.61, 0.283, and 1.80(f)(4) of the Commission's rules,⁹ the Notice of Apparent Liability for a Forfeiture and Forfeiture Order (NAL/Acct. No. MB-202141410018) issued to Amazing Grace Church **ARE CANCELLED** and that Amazing Grace Church is instead **HEREBY ADMONISHED** for its violation of section 73.3539 of the Commission's rules.

5. **IT IS FURTHER ORDERED** that copies of this Order shall be sent by First Class and Certified Mail, Return Receipt Requested, to Perry Owen, Amazing Grace Church, 17325 Unity Road, Paron, AR 72122.

FEDERAL COMMUNICATIONS COMMISSION

Albert Shuldiner
Chief, Audio Division
Media Bureau

⁷ See *NAL*, 36 FCC Rcd at 4750, para. 14; *Discussion Radio, Inc.*, Memorandum Opinion and Order, 19 FCC Rcd 7433, 7441, para. 28 (2004), *forfeiture reduced on recon.*, 24 FCC Rcd 2206 (MB 2009) (*Discussion Radio*).

⁸ 47 U.S.C. § 504(b).

⁹ 47 CFR §§ 0.61, 0.283, 1.80(f)(4).