



NEWS

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FEDERAL DISTRICT COURT ORDERS CIVIL JUDGMENT AGAINST RICHARD I. ROWLAND FOR UNLICENSED RADIO OPERATION

Washington, D.C. - Today, the Federal Communications Commission (FCC) announced that, in the United States Middle District of Florida, Orlando Division, United States District Judge, Honorable Gregory A. Presnell, granted judgment in favor of the United States to collect a civil penalty against Defendant Richard I. Rowland. The court ordered judgment against Rowland in the amount of \$10,000 plus costs.

The judgment is the result of an investigation that began in May of 2000. The Commission's Tampa, Florida Field Office received a complaint of an unlicensed broadcast station operating in the Longwood, Florida area. Commission agents determined that Rowland operated an unlicensed radio station on the frequency 97.1 MHz from a Longwood, Florida address on numerous dates in the year 2000. Rowland's unlicensed radio operation led to the seizure by U.S. Marshals and Commission agents of his radio station equipment in 2001. In addition, the Enforcement Bureau imposed a \$10,000 monetary forfeiture on Rowland for multiple violations of operating an unlicensed FM radio facility, in violation of Title 47, United States Code, Section 301. After Rowland refused to pay the forfeiture, the Commission filed suit for collection through the United States Attorney in federal district court. The case was brought by the United States Attorney's Office, Middle District of Florida, Orlando Division.

The operation of an unlicensed broadcast station is a violation of Section 301 of the Communications Act of 1934, as amended. Operators of unlicensed stations may be subject to civil monetary forfeitures of up to \$11,000 per single violation or per day of a continuing violation not to exceed \$87,500 for continuing violations. In addition, unlicensed operators may be subject to criminal sanctions, including a maximum \$10,000 fine and up to one year imprisonment for a first offense.

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