

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

In the Matter of )
Washington Broadcast Management Co., Inc. )
Former Licensee, KBRO(AM) ) Facility ID # 48248
Bremerton, Washington ) File No. 918ed007
Former Licensee, KNTB(AM) ) Facility ID # 26892
Lakewood, Washington ) File No. 918ed006
For a Forfeiture )

MEMORANDUM OPINION AND ORDER

Adopted: January 11, 2000

Released: January 14, 2000

By the Commission:

1. In this Order, we deny an application for review filed September 7, 1999, by Washington Broadcast Management Company, Inc. ("WBMC"). WBMC seeks review of two decisions of the Chief, Mass Media Bureau ("Bureau"), DA 99-1607 and DA 99-1608, both released August 13, 1999. In those decisions, the Bureau denied reconsideration of forfeiture orders, DA 99-1230, released June 24, 1999, and DA 99-1255, released June 25, 1999. In the forfeiture orders, the Bureau concluded that WBMC willfully and repeatedly violated Section 310(d) of the Communications Act, 47 U.S.C. Section 310(d), and Sections 73.3540 and 73.1125 of the Commission's Rules, 47 C.F.R. Sections 73.3540 and 73.1125, and ordered that WBMC forfeit a total of \$30,000 to the United States.

2. The staff properly decided the matters raised below, and we uphold the staff decisions for the reasons stated therein. There is no reason to disturb those decisions. In addition to arguments previously raised before the Bureau, WBMC raises two new arguments. These new arguments – that the licensee should not be held responsible for violations that occurred while it had unlawfully transferred control to another, and that the proceeding should be delayed pending a further investigation by the Office of General Counsel – are untimely and will not be considered. 47 U.S.C. § 155(c)(5), 47 C.F.R. § 1.115(c).

3. Accordingly, IT IS ORDERED, pursuant to authority granted by Section 5(c)(5) of the Communications Act, 47 U.S.C. § 155(c)(5), and Section 1.115(g) of the Commission's Rules, 47 C.F.R. § 1.115(g), that the application for review filed September 7, 1999, by Washington Broadcast Management Company, Inc. IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Magalie Roman Salas
Secretary