

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
WQAM License Limited Partnership)	File No. 918 ED 030
)	
Licensee, WQAM(AM))	
Miami, Florida)	
Facility ID # 64002)	

MEMORANDUM OPINION AND ORDER

Adopted: July 24, 2000

Released: July 26, 2000

By the Commission:

1. In this Order, we deny a petition for reconsideration filed by WQAM License Limited Partnership, (“WQAM LLP”), licensee of Station WQAM, Miami, Florida. WQAM LLP seeks reconsideration of a Forfeiture Order, FCC 00-21, released January 28, 2000. That order imposed a \$35,000 forfeiture against WQAM LLP for willful and repeated violations of 18 U.S.C. § 1464, which prohibits the broadcast of indecent material.

2. Reconsideration is appropriate only where the petitioner either shows a material error or omission in the original order or raises additional facts not known or not existing until after the petitioner’s last opportunity to present such matters. WWIZ, Inc., 37 FCC 685, 686 (1964), *aff’d sub nom. Lorain Journal Co. v. FCC*, 351 F.2d 824 (D.C. Cir. 1965), *cert. denied*, 383 U.S. 967 (1966); 47 C.F.R. § 1.106(c). A petition that simply reiterates arguments previously considered and rejected will be denied. Id.; Gaines, Bennett Gilbert, 8 FCC Rcd 3986 (Rev. Bd. 1993). Review of WQAM LLP’s petition and the Forfeiture Order reveals that the Forfeiture Order contains no material error or omission and that every argument raised by the licensee has already been considered and rejected. Accordingly, denial is warranted.

3. Accordingly, IT IS ORDERED, pursuant to Section 405 of the Communications Act of 1934, as amended, 47 U.S.C. § 405, and Section 1.106 of the Commission’s rules, 47 C.F.R. § 1.106, that the petition for reconsideration filed February 28, 2000, by WQAM LLP IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Magalie Roman Salas
Secretary