

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
Aura Holdings of Wisconsin, Inc.)	File No.: EB-SED-17-00024701
)	NAL/Acct. No.: 201832100010
)	FRN: 0026158949

FORFEITURE ORDER

Adopted: March 27, 2019

Released: March 29, 2019

By the Commission:

1. We impose a penalty of \$235,668 against Aura Holdings of Wisconsin, Inc. (Aura or Company) for the willful and repeated failure to provide truthful and accurate information to the Federal Communications Commission (FCC or Commission) in violation of our rules. Aura submitted false and misleading information in 10 different change-in-ownership applications using the Commission's Antenna Structure Registration (ASR) system. Aura also made false and misleading statements to a Commission employee over the course of four months, claiming the Company owned an antenna structure that it did not own. By misleading the Commission employee, Aura delayed the repair of an extinguished light on an antenna structure, which posed an air navigation safety hazard. Lastly, Aura failed to respond to a Commission order directing it to answer questions regarding the veracity of the information Aura provided in its change of ownership filings as well as its representations to the Commission employee.

2. On April 6, 2018, the Commission issued a Notice of Apparent Liability for Forfeiture (NAL) proposing a \$235,668 forfeiture against Aura for (1) willful and repeated violations of Section 1.17(a)(2) of the Commission's rules for making false and misleading statements to the Commission, and (2) failing to respond to a Commission order.¹ Aura has not filed a response to the NAL.² We hereby

¹ The NAL includes a complete discussion of the facts and history of this case. *See Aura Holdings of Wisconsin, Inc.*, Notice of Apparent Liability for Forfeiture, FCC 18-40, 33 FCC Rcd 3688 (2018) (*Aura NAL*); *see also* 47 CFR § 1.17(a)(2).

² On April 9, 2018, Enforcement Bureau (EB) staff sent a copy of the NAL via certified mail to Aura CEO William M. Nix at the address contained in Aura's most recent change in ownership application, in accordance with the NAL terms and Section 1.80(f)(2) of the Commission's rules. 47 CFR § 1.80(f)(2); *see also id.* § 1.5 (requiring a licensee to furnish the Commission with an address for serving documents and providing that, unless the licensee advises the Commission to the contrary, the Commission will use the address contained in the licensee's most recent application for this purpose; the licensee is responsible for ensuring that Commission documents delivered to this address will promptly reach the licensee or some person authorized to act on the licensee's behalf); *Aura NAL*, 33 FCC Rcd 3688. A copy was also sent via certified mail to the address listed in Aura's FAA No Hazard Determination paperwork for one of the subject antenna structures. Both copies were returned as unclaimed. On April 25, 2018, EB staff also sent copies of the NAL via certified mail, return receipt requested, to two other non-public addresses associated with Mr. Nix; one letter was returned as unclaimed, and the other was returned as refused. Throughout the month of April, EB staff repeatedly attempted to electronically provide a copy of the NAL to Mr. Nix, sending it to Aura's ASR-listed e-mail address (the same address Mr. Nix used to communicate with the Commission employee in 2017), e-mail addresses to which Mr. Nix had previously sent courtesy copies of his correspondence with the Commission employee, and Mr. Nix's personal e-mail address. Although none of the e-mails were returned as undeliverable, staff did not receive a response. Finally, on July 9, 2018, staff tried on three occasions to reach Mr. Nix via Aura's ASR-listed phone number, as well as two other non-public personal phone numbers associated with Mr. Nix. The first number appeared to be disconnected, and, to date, Mr. Nix has not responded to any of the voice messages left at the other two personal phone numbers.

incorporate by reference herein, affirm, and adopt as final all of our tentative findings of fact and conclusions of law set forth in the NAL and assess the forfeiture that we proposed in the NAL. We also remind Aura that, in the event that Aura; any of its affiliates; any of their successors or assigns; or any of their officers, directors, or employees involved in the conduct at issue applies for a Commission license or authorization, review of such an application will take into account our finding herein that Aura submitted false and misleading information to the Commission.

3. Accordingly, **IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended (Act)³ and Section 1.80 of the Commission's rules (Rules),⁴ Aura **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of two hundred and thirty-five thousand, six hundred and sixty-eight dollars (\$235,668) for willfully and repeatedly violating Section 1.17(a)(2) of the Commission's rules and for violating a Commission order.⁵

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within thirty (30) calendar days after the release date of this Forfeiture Order.⁶ If the forfeiture is not paid within the period specified, the case may be referred to the U.S. Department of Justice for enforcement of the forfeiture pursuant to Section 504(a) of the Act.⁷

5. Payment of the forfeiture must be made by check or similar instrument, wire transfer, or credit card, and must include the NAL/Account Number and FRN referenced above. Aura shall send electronic notification of payment to Leslie Barnes at Leslie.Barnes@fcc.gov and to SED at EB-SED-Response@fcc.gov on the date said payment is made. Regardless of the form of payment, a completed FCC Form 159 (Remittance Advice) must be submitted.⁸ When completing the Form 159, enter the Account Number in block number 23A (call sign/other ID) and enter the letters "FORF" in block number 24A (payment type code). Below are additional instructions that should be followed based on the form of payment selected:

- Payment by check or money order must be made payable to the order of the Federal Communications Commission. Such payments (along with the completed Form 159) must be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000, or sent via overnight mail to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101.
- Payment by wire transfer must be made to ABA Number 021030004, receiving bank TREAS/NYC, and Account Number 27000001. To complete the wire transfer and ensure appropriate crediting of the wired funds, a completed Form 159 must be faxed to U.S. Bank at (314) 418-4232 on the same business day the wire transfer is initiated.
- Payment by credit card must be made by providing the required credit card information on FCC Form 159 and signing and dating the Form 159 to authorize the credit card payment. The completed Form 159 must then be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000, or sent via overnight mail to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101.

³ 47 U.S.C. § 503(b).

⁴ 47 CFR § 1.80.

⁵ 47 CFR § 1.17(a)(2).

⁶ 47 CFR § 1.80.

⁷ 47 U.S.C. § 504(a).

⁸ An FCC Form 159 and detailed instructions for completing the form may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>.

6. Any request for making full payment over time under an installment plan should be sent to: Chief Financial Officer – Financial Operations, Federal Communications Commission, 445 12th Street, SW, Room 1-A625, Washington, DC 20554.⁹ Questions regarding payment procedures should be directed to the Financial Operations Group Help Desk by telephone, 1-877-480-3201, or by e-mail, ARINQUIRIES@fcc.gov.

7. **IT IS FURTHER ORDERED** that a copy of this Forfeiture Order shall be sent by first class mail and certified mail, return receipt requested, to Mr. William M. Nix, CEO, Aura Holdings of Wisconsin, Inc., 7284 Patton Road, Deforest, WI 53532, and W7284 Patton Road, Deforest, WI 53532.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

⁹ See 47 CFR § 1.1914.