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

In the Matter of	)	
	)	File No.: EB-FIELDSCR-22-00034439
Masner Beauplan	)	NAL/Acct. No.: 202432010011
Middletown, New York	)	FRN: 0035993252
	)	

NOTICE OF APPARENT LIABILITY FOR FORFEITURE

Adopted: September 26, 2024 **Released: September 30, 2024**

By the Commission: Chairwoman Rosenworcel issuing a statement; Commissioner Simington dissenting:

I. INTRODUCTION

1. In this Notice of Apparent Liability for Forfeiture (NAL), we propose a penalty of $920,000 against Masner Beauplan (Beauplan) for operating an unauthorized radio station, known as "Radio Leve Kanpe", on 91.7 MHz (Station) in Irvington, New Jersey and Maplewood, New Jersey, by which Beauplan apparently willfully and knowingly did, caused, or suffered to be done pirate radio broadcasting on weekdays and Saturdays from November 16, 2023, through January 8, 2024, resulting in 46 days of apparent violations. Operating an unauthorized, or pirate, radio station is illegal under the Communications Act of 1934, as amended (Communications Act or Act)[1] and undermines the primary mission of the Federal Communications Commission (FCC or Commission) to manage radio spectrum. Such illegal operations can interfere with licensed communications, including authorized broadcasts and communications by public safety entities. Moreover, such illegal operations pose a danger to the public because they interfere with licensed stations that inform their listeners of important public safety messages, including Emergency Alert System transmissions that provide vital information regarding weather events and other dangers to the public.

II. BACKGROUND

A. Legal Framework

2. On January 24, 2020, Congress passed the Preventing Illegal Radio Abuse Through Enforcement Act (PIRATE Act), which was subsequently codified as section 511 of the Communications Act.[2] Section 511 states that any person who willfully and knowingly does or causes or suffers to be done any pirate radio broadcasting shall be subject to a fine of not more than $2,000,000 and not more than $100,000 for each day during which such offense occurs.[3] Both of these figures are subject to annual

[1] 47 U.S.C. § 511.

[2] *Preventing Illegal Radio Abuse Through Enforcement Act*, Pub. L. 116-109, 134 Stat. 3 (2020) (codified at 47 U.S.C. § 511).

[3] 47 U.S.C. § 511(a)-(b). Prior to the passage of the PIRATE Act, the maximum monetary penalty for pirate radio transmissions was $151,005. *See* 47 CFR §1.80(b)(9)(ii) (2019); *see also Acerome Jean Charles*, Notice of Apparent Liability for Forfeiture, 34 FCC Rcd 12744 (2019) (proposing a penalty of $151,005), consent decree adopted, Order, 35 FCC Rcd 6878 (2020). In 2020, that maximum limit was increased to $2,000,000. *See* 47 U.S.C. § 511.

inflation adjustments.[4] Section 511 defines pirate radio broadcasting as "the transmission of communications on spectrum frequencies between 535 and 1705 kilohertz, inclusive, or 87.7 and 108 megahertz, inclusive, without a license issued by the Federal Communications Commission (Commission), but does not include unlicensed operations in compliance with part 15 of title 47, Code of Federal Regulations."[5] Part 15, among other requirements, states that unlicensed operators in the FM band must not transmit over a certain low-power limit.[6] Moreover, under part 15, intentional radiators, such as FM transmitters, must be designed to ensure that no antenna other than that furnished by the responsible party shall be used with the device (e.g., a permanently attached antenna or an antenna that uses a unique coupling to the intentional radiator).[7]

B. Factual Background

3. On August 30, 2023, field agents (Agents) from the FCC's New York Field Office monitored the frequency 91.7 MHz in the vicinity of Vauxhall, New Jersey, and, using direction-finding techniques, traced the source of the signal to a residence located at {[[redacted]]} Vermont Street, Maplewood, New Jersey (Vermont Street Site).[8] The Agents took field strength measurements of the Station's signal and determined that it exceeded the limits for operation under part 15 of the Commission's rules.[9] The Agents listened to and recorded the audio programming on 91.7 MHz.[10] The Agents also took pictures of an FM broadcast dipole antenna mounted to the chimney at the Vermont Street Site.[11] A review of Commission records revealed no authorization for any FM broadcast station to operate at or near the Vermont Street Site on any frequency.

4. On September 7, 2023, Agents conducted an inspection of the Station operating on 91.7 MHz located at the Vermont Street Site. The agents arrived onsite around 12:30 p.m. and found the Station was not broadcasting, although they observed the same chimney-mounted antenna as was seen on August 30, 2023.[12] The Agents conducted an inspection escorted by a person identifying themself as the property owner (Owner). The Agents observed an FM transmitter located in a shed at the Vermont Street Site.[13] The Owner identified the Station operator as Masner Beauplan and claimed Beauplan was currently renting office space from the Owner at a different address in Maplewood, New Jersey. To substantiate this claim, the Owner provided the Agents with a copy of a lease agreement that commenced on January 1, 2023, and ended on December 31, 2023, for the Maplewood office space. The lessee was identified as Radio Leve Kanpe, LLC, with Beauplan signing the lease as the company's president. The

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[4] *See* 47 CFR § 1.80(b)(6) (setting the current inflation adjusted statutory maximum for a violation of 47 U.S.C. § 511(a) at $2,391,097 and of 47 U.S.C. § 511(b) at $119,555); *Amendment of Section 1.80(b) of the Commission's Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation*, Order, DA 23-1198, 2023 WL 8889597, at *7 (EB Dec. 22, 2023); *see also* Annual Adjustment of Civil Monetary Penalties to Reflect Inflation, 89 Fed. Reg. 2148 (Jan. 12, 2024) (setting January 15, 2024, as the effective date for the increases).

[5] 47 U.S.C. § 511(h).

[6] 47 CFR § 15.239(b) (stating that the field strength of any emissions in the 88-108 MHz band shall not exceed 250 microvolts/meter at 3 meters).

[7] *Id.* § 15.203.

[8] Material set off by double brackets {[ ]} is confidential and is redacted from the public version of this document.

[9] 47 CFR § 15.239(b).

[10] *See* August 30, 2023 Audio of broadcast from Vermont Street Site (on file in EB-FIELDNER-22-00034439).

[11] *See* August 30, 2023 Photographs showing dipole antenna at Vermont Street Site (on file in EB-FIELDNER-22-00034439).

[12] *See* September 7, 2023 Photographs showing dipole antenna at Vermont Street Site (on file in EB-FIELDNER-22-00034439).

[13] *See* September 7, 2023 Photographs showing inspection of Vermont Street Site (on file in EB-FIELDNER-22-00034439).

lease expressly stated: "Use: The Premises are to be used and occupied only and for no other purpose than Office Space for purposes of Radio Station."[14]

5. On November 16, 2023, Agents from the New York Office monitored the frequency 91.7 MHz in the vicinity of Maplewood, New Jersey, and, using direction-finding techniques, traced the source of the signal to a multi-family residence located at {[[redacted]]} Tiffany Place in Irvington, New Jersey (Tiffany Place Site).[15] The Agents took field strength measurements of the signal and determined that it exceeded the limits for operation under part 15 of the Commission's rules.[16] The Agents also took pictures of a roof-mounted FM broadcast dipole antenna (and coaxial cable leading from the antenna into the residence) at the Tiffany Place Site that very closely resembled the antenna that was first observed at the Vermont Street Site on August 30, 2023, and again on September 7, 2023.[17] The Agents listened to and recorded the audio programming on 91.7 MHz.[18] The Station was identified at multiple points in the recording as "Radio Leve Kanpe 91.7 New Jersey." A review of Commission records revealed no authorization for any FM broadcast station to operate at or near the Tiffany Place Site on any frequency.

6. On January 8, 2024, Agents again monitored the frequency 91.7 MHz in Irvington, New Jersey, and, using direction-finding techniques, traced the source of the signal to the Tiffany Place Site. The Agents took field strength measurements of the signal and determined that it exceeded the limits for operation under part 15 of the Commission's rules.[19] The Agents also took pictures of the same roof-mounted FM broadcast dipole antenna and coaxial cable that had been observed at the Tiffany Place Site on November 16, 2023.[20] The Agents listened to and recorded the audio programming on 91.7 MHz.[21] The Station was identified at multiple points in the recording as "Radio Leve Kanpe 91.7 New Jersey." In the same recording, the Station's studio telephone number was announced as 908-834-78{[[redacted]]}, and the host identified Masner Beauplan as president and general manager of the Station. Masner Beauplan is listed in wireless carrier records as the subscriber (i.e., the person to whom the number is assigned) of the Station's studio number 908-834-78{[[redacted]]} as announced in the audio recordings of Station broadcasting.

7. While searching for websites and social media related to Radio Leve Kanpe, Agents found Facebook accounts for Masner Beauplan. One account showed an advertisement for a program

[14] Lease dated January 11, 2023, between 1653-55 Springfield Ave. LLC (lessor) and Radio Leve Kanpe, LLC (lessee) (on file in EB-FIELDNER-22-00034439). Although Beauplan signed the lease as President of Radio Leve Kanpe, LLC, it appears that no LLC by that name officially existed at the time. State of New Jersey official records indicate that an LLC named "Forum Radio Levekanpe LLC" was not formed by Beauplan until January 31, 2024 (i.e., one year after he had signed the lease). Beauplan did form another Radio Levekanpe entity prior to the lease period; however, Radio LeveKanpe, Inc. was formed in New Jersey on October 19, 2016, with Beauplan listed as its Incorporator, President, and sole Director. The corporation lost its certificate to operate in New Jersey, but that certificate was reinstated as of October 29, 2019, with Beauplan listed as the corporation's Chief Executive Officer and Registered Agent. The corporation was ultimately dissolved on August 2, 2022. *See* New Jersey Dep't of the Treasury corporate filing records (on file in EB-FIELDNER-22-00034439).

[15] Both the Vermont Street Site and Tiffany Place Site are at different locations from the Maplewood, NJ office space that was leased by Beauplan.

[16] 47 CFR § 15.239(b).

[17] *See* November 16, 2023 Photographs showing dipole antenna at Tiffany Place Site (on file in EB-FIELDNER-22-00034439).

[18] *See* November 16, 2023 Audio recording of broadcast from Tiffany Place Site (on file in EB-FIELDNER-22-00034439).

[19] 47 CFR § 15.239(b).

[20] *See* January 8, 2024 Photographs showing dipole antenna at Tiffany Place Site (on file in EB-FIELDNER-22-00034439).

[21] *See* January 8, 2024 Audio recording of broadcast from Tiffany Place Site (on file in EB-FIELDNER-22-00034439).

Beauplan hosts on the Station called "Jounal Radio Leve Kanpe," which is broadcast Monday through Friday from 8:00 a.m. to 12:00 p.m., then repeated on those same weekdays from 9:00 p.m. to midnight and also on Saturdays from midnight to 1:00 a.m.[22] The account also displayed a picture of Beauplan next to that advertisement.[23]

III. DISCUSSION

8. We find that Beauplan, in apparent violation of section 511 of the Act,[24] willfully and knowingly did, caused, or suffered to be done pirate radio broadcasting through the operation of an unlicensed radio station on 91.7 MHz, known as "Radio Leve Kanpe" in Irvington, New Jersey and Maplewood, New Jersey.[25] Agents observed the Station operating on November 16, 2023, and January 8, 2024, from the Tiffany Place Site. Agents performed field strength measurements on each of these dates, and determined that in each case the Station's transmissions exceeded the limits for operation under part 15 of the Commission's rules.[26] In addition, evidence shows Radio Leve Kanpe was responsible for advertisements that promoted programming occurring on Monday through Saturday during the subject period between November 16, 2023, and January 8, 2024. Further, Agents determined that the antenna used to broadcast Radio Leve Kanpe from the Tiffany Place Site on November 16, 2023, and January 8, 2024, were not compliant with the part 15 requirements because, instead of using a unique coupling, it used a standard coaxial connector.[27] Therefore, the transmissions from the Tiffany Place Site on weekdays and Saturdays between November 16, 2023, and January 8, 2024, failed to comply with part 15 of the Commission's rules. A review of Commission records does not reveal an authorization for any FM broadcast station to operate at or near the Tiffany Place Site at any time relevant to the violations discussed in this NAL.

9. Considering the totality of the circumstances and facts before us, including multiple violations documented on three different weekdays, the numerous additional advertised violations on weekdays and Saturdays between November 16, 2023, and January 8, 2024, the non-compliant antenna used to broadcast the Radio Leve Kanpe signal from two different locations with impermissibly high power levels,[28] and the evidence that Beauplan owned and operated Radio Leve Kanpe, we find that Beauplan operated a pirate radio station and apparently willfully and knowingly did, caused, or suffered to be done pirate radio broadcasting on weekdays and Saturdays from November 16, 2023, to January 8, 2024, for a minimum of 46 days of apparent violations. Accordingly, the Commission finds that Beauplan's actions on these days constituted pirate radio broadcasting in apparent violation of section 511 of the Act.[29]

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[22] *See* Facebook, Masner Beauplan, https:/facebook.com/masnerb (last visited May 31, 2024) (on file in EB-FIELDNER-22-00034439).

[23] The photograph accompanying the Jounal Radio Leve Kanpe advertisement was identified as Beauplan's because it is not only captioned as such, but also matches photographs on another Facebook site belonging to Beauplan. *See, e.g.*, Facebook, Masner Beauplan, https:/facebook.com/masnerb (last visited May 31, 2024) (on file in EB-FIELDNER-22-00034439).

[24] 47 U.S.C. § 511.

[25] Although the Station's broadcasting activity observed on August 30, 2023, *see supra* para. 3, constitutes illegal pirate radio broadcasting, it falls outside the one-year statutory limitations period. *See* 47 U.S.C. § 503(b)(6)(B).

[26] 47 CFR §§ 15.209(a), 15.239(b); *see also* 47 U.S.C. § 511(h) (stating that pirate radio broadcasting "does not include unlicensed operations in compliance with part 15 of title 47, Code of Federal Regulations").

[27] *See* 47 CFR § 15.203.

[28] *Id.*

[29] 47 U.S.C. § 511(a), (h).

A. Proposed Forfeiture

10. Section 511 of the Act authorizes the Commission to impose a forfeiture against any person "who willfully and knowingly does or causes or suffers to be done any pirate radio broadcasting."[30] In exercising our forfeiture authority, we consider the "nature, circumstances, extent, and gravity of the violation and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require."[31] We may adjust a forfeiture downward for minor violations, good faith or voluntary disclosure, a history of overall compliance, or an inability to pay.[32]

11. Section 511 of the Act and section 1.80 of the Commission's rules authorize enhanced penalties for pirate radio broadcasting.[33] Under these sections, any person who willfully and knowingly does or causes or suffers to be done any pirate radio broadcasting shall be subject to a fine of not more than $119,555 for each day during which the offense occurs, but not more than $2,391,097 in total.[34]

12. The primary intent of the PIRATE Act is to increase financial penalties for pirate radio broadcasting.[35] Accordingly, in 2023 the Commission established a base forfeiture of $20,000 for pirate radio broadcasting,[36] which is twice the pre-PIRATE Act base forfeiture level. Consequently, for each of the 46 days that Beauplan apparently willfully and knowingly violated section 511 of the Act, we apply this base forfeiture amount, for a total proposed base forfeiture of $920,000.[37]

13. In applying the applicable statutory factors, we consider whether there is any basis for an upward or a downward adjustment of the proposed forfeiture. We find none. After applying section 1.80 of the Commission's rules and the statutory factors, and consistent with the *Forfeiture Policy Statement*,[38] Masner Beauplan is apparently liable for a proposed total monetary forfeiture of $920,000.[39]

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[30] *Id.* § 511(a).

[31] 47 CFR § 1.80(b)(11).

[32] *Id*.

[33] 47 U.S.C. § 511; 47 CFR § 1.80(b)(6).

[34] 47 U.S.C. § 511(a)-(b); *see* 47 CFR § 1.80(b)(6) (setting the current inflation adjusted statutory maximum for a violation of 47 U.S.C. § 511(a) at $2,391,097 and 47 U.S.C. § 511(b) at $119,555); *Amendment of Section 1.80(b) of the Commission's Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation*, Order, DA 23-1198, 2023 WL 8889597, at *7 (EB Dec. 22, 2023); *see also* Annual Adjustment of Civil Monetary Penalties to Reflect Inflation, 89 Fed. Reg. 2148 (Jan. 12, 2024) (setting January 15, 2024, as the effective date for the increases).

[35] *See* S. Rep. No. 116-178, 1 (2019) ("The purpose of S. 1228, the Preventing Illegal Radio Abuse Through Enforcement Act or PIRATE Act, is to increase the financial penalties for pirate radio broadcasting.").

[36] The Commission first applied this base forfeiture amount in prior Notices of Apparent Liability for Forfeiture for pirate radio activities. *See, e.g.*, *César Ayora and Luis Angel Ayora, Queens, New York*, Notice of Apparent Liability for Forfeiture, 38 FCC Rcd 2562, 2569, para. 15 (2023), *aff'd*, Forfeiture Order, FCC 23-80, 2023 WL 6843186 (Oct. 13, 2023); *Thomas Barnes, La Grande, Oregon*, Notice of Apparent Liability for Forfeiture, 38 FCC Rcd 2554 2569, para. 15 (2023), *aff'd*, Forfeiture Order, FCC 23-79, 2023 WL 6843178, at *1 (Oct. 13, 2023).

[37] *See* 47 U.S.C. § 511.

[38] *See The Commission's Forfeiture Policy Statement and Amendment of Section 1.80 of the Rules to Incorporate the Forfeiture Guidelines, Report and Order*, 12 FCC Rcd 17087, 17101, para. 27 (1997) (Forfeiture Policy Statement), recons. denied, Memorandum Opinion and Order, 15 FCC Rcd 303 (1999); 47 CFR § 1.80(b)(11).

[39] Any entity that is a "Small Business Concern" as defined in the Small Business Act (Pub. L. 85-536, as amended) may avail itself of rights set forth in that Act, including rights set forth in 15 U.S.C. § 657, "Oversight of Regulatory Enforcement," in addition to other rights set forth herein.

IV. CONCLUSION

14. We have determined that Masner Beauplan apparently willfully and knowingly did, caused, or suffered to be done pirate radio broadcasting in violation of section 511 of the Act. As such, Masner Beauplan is apparently liable for a forfeiture of $920,000.

V. ORDERING CLAUSES

15. Accordingly, **IT IS ORDERED** that, pursuant to section 511 of the Communications Act of 1934, as amended, 47 U.S.C. § 511, and section 1.80 of the Commission's rules, 47 CFR § 1.80, Masner Beauplan is hereby **NOTIFIED** of this **APPARENT LIABILITY FOR A FORFEITURE** in the amount of nine hundred, twenty thousand dollars ($920,000) for willful and knowing violation of section 511 of the Act, 47 U.S.C. § 511.

16. **IT IS FURTHER ORDERED** that, pursuant to section 1.80 of the Commission's rules, 47 CFR § 1.80, within thirty (30) calendar days of the release date of this Notice of Apparent Liability for Forfeiture, Masner Beauplan **SHALL PAY** the full amount of the proposed forfeiture or **SHALL FILE** a written statement seeking reduction or cancellation of the proposed forfeiture consistent with paragraph 19.

17. In order for Masner Beauplan to pay the proposed forfeiture, he shall notify the Office of the Field Director at field@fcc.gov of his intent to pay, whereupon an invoice will be posted in the Commission's Registration System (CORES) at https://apps.fcc.gov/cores/userLogin.do. Upon payment, Beauplan shall send electronic notification of payment to the Office of the Field Director, Enforcement Bureau, Federal Communications Commission, at field@fcc.gov on the date said payment is made. Payment of the forfeiture must be made by credit card using CORES at https://apps.fcc.gov/cores/userLogin.do, ACH (Automated Clearing House) debit from a bank account, or by wire transfer from a bank account. The Commission no longer accepts Civil Penalty payments by check or money order. Below are instructions that payors should follow based on the form of payment selected:[40]

- Payment by wire transfer must be made to ABA Number 021030004, receiving bank TREAS/NYC, and Account Number 27000001. In the OBI field, enter the FRN(s) captioned above and the letters "FORF". In addition, a completed Form 159[41] or printed CORES form[42] must be faxed to the Federal Communications Commission at 202-418-2843 or e-mailed to RROGWireFaxes@fcc.gov on the same business day the wire transfer is initiated. Failure to provide all required information in Form 159 or CORES may result in payment not being recognized as having been received. When completing FCC Form 159 or CORES, enter the Account Number in block number 23A (call sign/other ID), enter the letters "FORF" in block number 24A (payment type code), and enter in block number 11 the FRN(s) captioned above (Payor FRN).[43] For additional detail and wire transfer instructions, go to https://www.fcc.gov/licensing-databases/fees/wire-transfer.
- Payment by credit card must be made by using CORES at https://apps.fcc.gov/cores/userLogin.do. To pay by credit card, log-in using the FCC Username associated to the FRN captioned above. If payment must be split across FRNs, complete this process for each FRN. Next, select "Manage Existing FRNs | FRN Financial | Bills & Fees" from the CORES Menu, then select FRN Financial and the view/make payments option next to the FRN. Select the "Open Bills" tab and find the bill number associated with the NAL Acct. No. The bill number is

[40] For questions regarding payment procedures, please contact the Financial Operations Group Help Desk by phone at 1-877-480-3201 (option #6).

[41] FCC Form 159 is accessible at https://www.fcc.gov/licensing-databases/fees/fcc-remittance-advice-form-159.

[42] Information completed using the Commission's Registration System (CORES) does not require the submission of an FCC Form 159. CORES is accessible at https://apps.fcc.gov/cores/userLogin.do.

[43] Instructions for completing the form may be obtained at http://www.fcc.gov/Forms/Form159/159.pdf.

the NAL Acct. No. with the first two digits excluded (e.g., NAL 1912345678 would be associated with FCC Bill Number 12345678). After selecting the bill for payment, choose the "Pay by Credit Card" option. Please note that there is a $24,999.99 limit on credit card transactions.

- Payment by ACH must be made by using CORES at https://apps.fcc.gov/cores/userLogin.do. To pay by ACH, log in using the FCC Username associated to the FRN captioned above. If payment must be split across FRNs, complete this process for each FRN. Next, select "Manage Existing FRNs | FRN Financial | Bills & Fees" on the CORES Menu, then select FRN Financial and the view/make payments option next to the FRN. Select the "Open Bills" tab and find the bill number associated with the NAL Acct. No. The bill number is the NAL Acct. No. with the first two digits excluded (e.g., NAL 1912345678 would be associated with FCC Bill Number 12345678). Finally, choose the "Pay from Bank Account" option. Please contact the appropriate financial institution to confirm the correct Routing Number and the correct account number from which payment will be made and verify with that financial institution that the designated account has authorization to accept ACH transactions.

18. Any request for making full payment over time under an installment plan should be sent to: Chief Financial Officer—Financial Operations, Federal Communications Commission, 45 L Street, N.E., Washington, D.C. 20554.[44] Questions regarding payment procedures should be directed to the Financial Operations Group Help Desk by phone, 1-877-480-3201, or by e-mail, ARINQUIRIES@fcc.gov.

19. The written statement seeking reduction or cancellation of the proposed forfeiture, if any, must include a detailed factual statement supported by appropriate documentation and affidavits pursuant to sections 1.16 and 1.80(g)(3) of the Commission's rules.[45] The written statement must be mailed to the Office of the Secretary, Federal Communications Commission, 45 L Street, N.E., Washington, D.C. 20554, ATTN: Enforcement Bureau – Office of the Field Director, and must include the NAL/Account Number referenced in the caption. The statement must also be e-mailed to the Office of the Field Director at field@fcc.gov.

20. The Commission will not consider reducing or canceling a forfeiture in response to a claim of inability to pay unless the petitioner submits the following documentation: (1) federal tax returns for the past three years; (2) financial statements for the past three years prepared according to generally accepted accounting practices; or (3) some other reliable and objective documentation that accurately reflects the petitioner's current financial status.[46] Any claim of inability to pay must specifically identify the basis for the claim by reference to the financial documentation. Inability to pay, however, is only one of several factors that the Commission will consider in determining the appropriate forfeiture, and we retain the discretion to decline reducing or canceling the forfeiture if other prongs of 47 U.S.C. § 503(b)(2)(E) support that result.[47]

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[44] *See* 47 CFR § 1.1914.

[45] *Id.* §§ 1.16, 1.80(g)(3).

[46] 47 U.S.C. § 503(b)(2)(E).

[47] *See, e.g.*, *Ocean Adrian Hinson, Surry County, North Carolina,* Forfeiture Order, 34 FCC Rcd 7619, 7621, para. 9 & n. 21 (2019); *Vearl Pennington and Michael Williamson*, Forfeiture Order, 34 FCC Rcd 770, paras. 18-21 (2019); *Fabrice Polynice, Harold Sido and Veronise Sido, North Miami, Florida*, Forfeiture Order, 33 FCC Rcd 6852, 6860-62, paras. 21-25 (2018); *Adrian Abramovich, Marketing Strategy Leaders, Inc., and Marketing Leaders, Inc.*, Forfeiture Order, 33 FCC Rcd 4663, 4678-79, paras. 44-45 (2018); *Purple Communications, Inc.*, Forfeiture Order, 30 FCC Rcd 14892, 14903-04, paras. 32-33 (2015); *TV Max, Inc., et al.*, Forfeiture Order, 29 FCC Rcd 8648, 8661, para. 25 (2014).

21. **IT IS FURTHER ORDERED** that a copy of this Notice of Apparent Liability for Forfeiture shall be sent by first class mail and certified mail, return receipt requested, to Masner Beauplan at {[[redacted]]} Neptune Lane, Middletown, New York 10940.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

STATEMENT OF
CHAIRWOMAN JESSICA ROSENWORCEL

Re: *In the Matter of Masner Beauplan, Middletown, New York,* Notice of Apparent Liability for Forfeiture, File No.: EB-FIELDSCR-22-00034439 (September 26, 2024).

At the Federal Communications Commission, we are stewards of the public airwaves. We take this responsibility seriously. To ensure this vital resource is broadly available and free from harmful interference, we have rules that govern its use. And for those who fail to follow the rules, there are consequences.

In this series of enforcement actions, we propose fines against three unauthorized radio operators in New York. We also finalize penalties against three operators based in the Miami area. Each of these actions is taken in response to the PIRATE Act, in which Congress specifically directed this agency to expand its enforcement efforts to address unauthorized radio broadcasting because it can interfere with authorized stations and emergency communications. To ensure the job gets done, Congress also provided us with a special annual appropriation to do so.

Today we get the job done thanks to Field Regional Management and Agents in our Miami and New York Field Offices who worked tirelessly on these investigations. These are public servants who serve on the front lines of our work to enforce the rules that govern the public airwaves. We are grateful for their efforts. I also want to thank those in Washington who took up their work and converted it into what we have here today, including Loyaan Egal, Jeremy Marcus, Matthew Gibson, Ryan McDonald, Michael Rhodes, David Marks, Reggie Breshears, Robert Keller, Robert Kincaid, Erica McMahon, Dave Dombrowski, and Dedrick Roybiskie from the Enforcement Bureau; and William Dever and David Konczal from the Office of General Counsel.