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

In the Matter of	)	
	)	
Fabrice Polynice	)	File No.: EB-FIELDSCR-23-00034825
North Miami, Florida	)	NAL/Acct No.: 202432020004
	)	FRN: 0022240279

FORFEITURE ORDER

Adopted: June 5, 2025 **Released: June 6, 2025**

By the Commission: Commissioner Simington dissenting.

I. INTRODUCTION

1. We impose a penalty of $2,391,097 against Fabrice Polynice a/k/a DJ Paz (Polynice), for operating an unauthorized radio station on 90.1 MHz in North Miami, Florida from February 5 through March 5, 2023, by which Polynice willfully and knowingly did or caused pirate radio broadcasting, resulting in at least 22 days of violations. Since at least 2012, Polynice has engaged in the longstanding illicit operation of an unauthorized radio station known as "Radio Touche Douce." 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 and other dangers to the public.[2] Some of the most egregious pirate radio operations are run by individuals who have ignored prior enforcement actions by the Commission. This is one such case. As such, it merits the strongest possible enforcement measures to the fullest extent of the law. After reviewing Polynice's response[3] to the Notice of Apparent Liability for Forfeiture,[4] in which he does not contest that he engaged in pirate radio broadcasting, but solely argues that he has an inability to pay the forfeiture, we find no reason to cancel, withdraw, or reduce the proposed penalty, and we therefore affirm the $2,391,097 forfeiture the Commission previously proposed.

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[1] 47 U.S.C. § 511.

[2] *See Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System*, Report and Order, PS Docket No. 15-94, FCC 22-75, para. 3 (rel. Sept. 30, 2022).

[3] Petition for Reconsideration, Fabrice Polynice (Feb. 26, 2024) (on file in EB-FIELDSCR-23-00034825) (NAL Response). Polynice's response to the *2024 NAL* submitted by his attorney was incorrectly titled "Petition for Reconsideration." *See* 47 CFR § 1.80(j). We are treating the Petition for Reconsideration as a response to the *2024 NAL*. 47 CFR § 1.80(g)(3).

[4] *See Fabrice Polynice, North Miami, Florida*, Notice of Apparent Liability for Forfeiture, 39 FCC Rcd 733 (2024) (*2024 NAL*). The *2024 NAL* includes a more complete discussion of the facts and history of this case and is incorporated herein by reference.

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.[5] 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.[6] Both of these figures are subject to annual inflation adjustments.[7] 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 Commission, but does not include unlicensed operations in compliance with part 15 of title 47, Code of Federal Regulations."[8] Part 15, among other requirements, states that unlicensed operators in the FM band must not transmit over a certain low-power limit.[9] 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).[10]

B. Factual Background

3. Polynice has been directly involved in the operation of a pirate radio station (Station) on 90.1 MHz in the Miami, Florida area since at least 2012 and has been subject to numerous enforcement actions, including prior Notices of Apparent Liability for Forfeiture (NALs), Forfeiture Orders, and an *in rem* seizure of the Station's equipment in 2012.[11] Most recently, in the *2024 NAL*, the Commission proposed a base forfeiture amount of $20,000 (twice the pre-PIRATE Act base forfeiture level) for each of the 22 days that Polynice apparently willfully and knowingly violated section 511 of the Act, for a total proposed base forfeiture of $440,000.[12] After noting that the primary intent of the PIRATE Act is to increase financial penalties for pirate radio broadcasting,[13] the Commission further concluded that, given

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

[6] 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.

[7] *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 $2,453,218 and of 47 U.S.C. § 511(b) at $122,661); *Amendment of Section 1.80(b) of the Commission's Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation*, Order, DA 25-5, 2025 WL 100529, *7 at Table 5 to Paragraph (b)(12)(ii) (EB Jan. 3, 2025); *see also* Annual Adjustment of Civil Monetary Penalties to Reflect Inflation, 90 Fed. Reg. 3710 (Jan. 15, 2025) (setting Jan. 15, 2025 as the effective date for the increases).

[8] 47 U.S.C. § 511(h).

[9] 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).

[10] *Id.* § 15.203.

[11] The *2024 NAL* contains a more detailed accounting of the numerous enforcement actions against Polynice. *See 2024 NAL*, 39 FCC Rcd at 734-36, paras. 3-8.

[12] *See id.* at para. 21 (citing 47 U.S.C. § 511).

[13] *See id.*; 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.").

the particular facts of this case, and consistent with the *Forfeiture Policy Statement*,[14] significant upward adjustments were warranted. Upon finding that Polynice's conduct was intentional and that he had a history of numerous prior violations,[15] and based on the severity of the facts underlying these factors, the Commission proposed the maximum penalty of $119,555[16] for each of the 22 days during which Polynice operated his pirate radio station in 2023, for a total penalty of $2,630,210.[17] Finally, the Commission reduced the proposed penalty from $2,630,210 to $2,391,097 based on the statutory limits imposed by section 511(a) of the Act.[18] The *2024 NAL* ordered Polynice, within 30 days, either to pay the proposed forfeiture amount or submit evidence or arguments in response to the *2024 NAL* that no forfeiture should be imposed or that some lesser amount should be assessed.[19]

4. On February 26, 2024, Polynice filed a timely response to the *2024 NAL*.[20] In his NAL Response, Polynice did not dispute any of the facts or legal conclusions set forth in the *2024 NAL*, but instead simply claimed that the proposed forfeiture amount exceeded his ability to pay and that he would shortly submit the documentation supporting his assertion.[21] Nearly five months later, on July 19, 2024, Polynice filed a supplement to his response, which contained three years of tax returns.[22]

III. DISCUSSION

5. The Commission proposed a forfeiture in this case in accordance with section 511 of the Act,[23] section 1.80 of the Commission's rules,[24] and the Commission's *Forfeiture Policy Statement*.[25] When we assess forfeitures, section 1.80 of the Commission's rules requires that we take into account 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."[26]

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[14] *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).

[15] *See 2024 NAL*, 39 FCC Rcd at 740, para. 22.

[16] 47 U.S.C. § 511(a). While the current inflation-adjusted per day maximum forfeiture for pirate radio broadcasting in violation of section 511(a) is $122,661, the inflation-adjusted maximum at the time of the *2024 NAL* was $119,555. *See supra* note 7; *Amendment of Section 1.80(b) of the Commission's Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation*, Order, 38 FCC Rcd 12090, 12097 at Table 5 to Paragraph (b)(12)(ii) (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).

[17] *See 2024 NAL*, 39 FCC Rcd at 741, para. 22.

[18] *Id.* (citing 47 U.S.C. § 511(a)). While the current inflation-adjusted maximum forfeiture for pirate radio broadcasting in violation of section 511(a) is $2,453,218, the inflation-adjusted maximum at the time of the *2024 NAL* was $2,391,097. *See supra* note 7; *Amendment of Section 1.80(b) of the Commission's Rules, Adjustment of Civil Monetary Penalties to Reflect Inflation*, Order, 38 FCC Rcd 12090, 12097 at Table 5 to Paragraph (b)(12)(ii) (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).

[19] *2024 NAL*, 39 FCC Rcd at 741, para. 25.

[20] *See* NAL Response.

[21] *See id.* at 1.

[22] *See* Supplement to Petition for Reconsideration, Fabrice Polynice (July 19, 2024) (on file in EB-FIELDSCR-23-00034825) (Supplemental NAL Response).

[23] 47 U.S.C. § 511.

[24] 47 CFR § 1.80.

[25] *Forfeiture Policy Statement*, 12 FCC Rcd at 17101, para. 27.

We may adjust a forfeiture downward for minor violations, good faith or voluntary disclosure, a history of overall compliance, or an inability to pay.[27] We have fully considered Polynice's NAL Response, in which he does not dispute any of the violations identified in the *2024 NAL*, but merely asserts his inability to pay the proposed forfeiture.[28] Based on the record before us, including the undisputed evidence gathered by Field Agents and described in the *2024 NAL*, and after considering all of the relevant statutory factors, we find that Polynice willfully and knowingly did or caused pirate radio broadcasting between February 5 and March 5, 2023, in violation of section 511 of the Act. Polynice, therefore, is liable for a total forfeiture of $2,391,097.

6. We decline to reduce the proposed forfeiture based on Polynice's asserted ability to pay. In support of his claim, Polynice provided, in late submitted filings, tax returns for years 2021, 2022, and 2023, which purport to show incomes of not more than ${[ ]}[29] in any of those years.[30] We acknowledge that Polynice's financial documents, standing alone (and if accepted at face value) might support a reduction of the forfeiture.[31] However, the ability to pay a forfeiture is just one of the criteria we must consider when determining the forfeiture penalty for violations of the Act and the Commission's rules.[32] As required by the Commission's rules, we must also consider the nature, circumstances, extent,

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[26] 47 CFR § 1.80(b)(11).

[27] *Id.*; *see also Forfeiture Policy Statement*, 12 FCC Rcd at 17101, para. 27.

[28] NAL Response at 1.

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

[30] *See* Supplemental NAL Response, attached tax returns (on file in EB-FILEDSCR-23-00034825).

[31] *See Central Telecom Long Distance, Inc.,* Forfeiture Order, 31 FCC Rcd 10392, 10410-11, paras. 42-44 (2016) (stating that in addition to inability to pay, the Commission must consider other factors in its forfeiture calculation analysis); *Purple Communications, Inc.,* Forfeiture Order, 30 FCC Rcd 14892, 14903-04, paras. 32-33 (2015) (acknowledging that "standing alone, Purple's financial documents might support a reduction," but in applying the additional balancing factors determined that no reduction was warranted).

[32] 47 CFR § 1.80(b)(11). *See, e.g.*, *Jason M. Frawley; Licensee of Amateur Radio Station WA7CQ, Lewiston, Idaho,* Forfeiture Order, FCC 24-134, 2025 WL 212008, para. 18 (Jan. 3, 2025) (finding that given the totality of the circumstances, Frawley's ability to pay was outweighed by the nature of the violations and their potential threat to public safety communications) (*Frawley Forfeiture Order*); *Tele Circuit Network Corp.*, Forfeiture Order, 36 FCC Rcd 7664, 7685-86, para. 53 (2021) (concluding that Tele Circuit's willful and repeated violations of the Act and the Commission's rules and the egregious nature of its actions outweighed any inability to pay claim); *Air-Tel, LLC*, Forfeiture Order, 36 FCC Rcd 8867, 8876-77, para. 23 (2021) (noting that "a violator's 'ability to pay' is only one of several factors the Commission must consider when determining an appropriate forfeiture" and finding that the nature of the violations at issue outweighed Air-Tel's claimed inability to pay); *ABC Fulfillment Services LLC d/b/a HobbyKing USA LLC and HobbyKing.com et al.*, Forfeiture Order, 35 FCC Rcd 7441, 7453, para. 31 (2020) (finding that a "reduction for inability to pay would be inappropriate when compared to the other circumstances of the case," which the Commission found "militate[d] in favor of a large forfeiture"); *Ocean Adrian Hinson, Surry County, North Carolina,* Forfeiture Order, 34 FCC Rcd 7619, 7621, para. 9 & n.21 (2019) (finding violator's argument about his inability to pay the forfeiture was greatly outweighed by other considerations that favored a significant forfeiture) (*Hinson Forfeiture Order*); *Vearl Pennington and Michael Williamson*, Forfeiture Order, 34 FCC Rcd 770, 778-79, paras. 18–21 (2019) (declining to reduce forfeiture based on inability to pay based on the egregious, intentional and repeated nature of the violation) (*Pennington Williamson Forfeiture Order*); *Fabrice Polynice, Harold Sido and Veronise Sido*, Forfeiture Order, 33 FCC Rcd 6852, 6861, paras. 22-23 (2018) (rejecting Polynice's inability to pay claim based on his longstanding and egregious nature of his misconduct and noting that a violator's ability to pay is only one of several factors the Commission must consider when determining an appropriate forfeiture) (*Polynice Sido Forfeiture Order*); *U.S. Telecom Long Distance, Inc.*, Forfeiture Order, 31 FCC Rcd 10413, 10433, para. 43 (2016) (finding that U.S. Telecom's willful and repeated violations of the Act and the Commission's rules and the egregious nature of its misrepresentations outweighed the company's inability to pay claim).

and gravity of the violations.[33] Section 1.80 of the Commission's rules also requires that we take into account "other matters as justice may require."[34] When weighed against these other factors, most notably Polynice's history of prior violations and the intentional nature of his misconduct, we decline to reduce the proposed forfeiture based on Polynice's alleged inability to pay.[35]

7. In the *2024 NAL*, the Commission imposed a base forfeiture amount of $20,000 for each of the 22 days that Polynice apparently willfully and knowingly violated section 511 of the Act, for a total proposed base forfeiture of $440,000.[36] Moreover, given the particular facts of this case, and consistent with section 1.80 of the Commission's rules, and *Forfeiture Policy Statement*,[37] the Commission concluded that significant upward adjustments were warranted.[38] Specifically, the Commission cited to Polynice's long history of operating an illegal radio station from 2012 to 2019.[39] It emphasized that Polynice continued to operate an unlicensed FM station after U.S. Marshals seized his radio station equipment[40] and even after the Commission issued him two prior NALs and Forfeiture Orders for illegal operation of a radio station.[41]

8. The proposed forfeiture amount was also based on the Commission's finding that Polynice's actions were intentional.[42] The evidence in this case shows that Polynice received forfeiture orders in 2013 and 2018 as well as numerous other warnings that his actions were illegal, but nonetheless he chose to continue to operate without authorization.[43] Thus, with respect to the violations at issue in the *2024 NAL*, Polynice's actions were intentional. [44] The NAL Response contained no assertion that Polynice did not engage in any of his long-standing illegal behavior.[45] Accordingly, after considering the nature, circumstances, extent, and gravity of the violations,[46] we deny Polynice's request to downwardly adjust the proposed forfeiture based on an inability to pay. Rather, consistent with the Commission's established precedent, we find this factor to be outweighed by other factors in section 1.80 of the Commission's rules.[47] Moreover, we decline Polynice's request to reduce the forfeiture amount because if

[33] 47 CFR § 1.80(b)(11).

[34] *Id.*

[35] *See, e.g., Polynice Sido Forfeiture Order,* 33 FCC Rcd at 6861, paras. 22-23 (nature of violation and history of noncompliance outweighed inability to pay claim).

[36] *See 2024 NAL*, 39 FCC Rcd at 740, para. 21 (citing 47 U.S.C. § 511).

[37] *See* 47 CFR § 1.80(b)(11); *Forfeiture Policy Statement*, 12 FCC Rcd at 17101, para. 27.

[38] *2024 NAL*, 39 FCC Rcd at 740-41, para. 22.

[39] *Id. See also id*. at 734-36, paras 3-8.

[40] *See id.* at 734-35, para. 4.

[41] *Id.* at 740-41, para. 22.

[42] *2024 NAL*, 39 FCC Rcd at 740-41, para. 22.

[43] *See supra* para 3. *See also 2024 NAL* at 734-36, 740-41, paras 4-7, 22.

[44] *See, e.g.*, *César Ayora and Luis Angel Ayora, Queens, New York*, Notice of Apparent Liability for Forfeiture, 38 FCC Rcd 2562, 2569, para. 16 (2023), *aff'd*, Forfeiture Order, 38 FCC Rcd 9747 (2023) (upwardly adjusting forfeiture based upon intentional nature of conduct and targets' prior violations).

[45] *See* NAL Response at 1.

[46] 47 CFR § 1.80(b)(11).

[47] *See, e.g.*, *Frawley Forfeiture Order* at *7, para. 18 ; *Hinson Forfeiture Order*, 34 FCC Rcd at 7621, para. 9 & n.21; *Pennington Williamson Forfeiture Order*, 34 FCC Rcd at 778-79, paras. 18-21; *Polynice Sido Forfeiture Order*, 33 FCC Rcd at 6861, paras. 22-23; *Adrian Abramovich, Marketing Strategy Leaders, Inc., and Marketing Leaders, Inc.*, Forfeiture Order, 33 FCC Rcd 4663, 4676, para. 45 (2018) (ability to pay is one of several factors to be considered in determining the appropriate forfeiture and can be outweighed by other factors to result in a large

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we were to reduce this most recent forfeiture after multiple enforcement actions against him with no payments of the previous forfeiture amounts, it would provide incentives for Polynice and other pirate radio operators to continue to violate the law without consequence.

IV. CONCLUSION

9. Based on the record before us and in light of all the applicable statutory factors, we affirm the *2024 NAL's* findings that Polynice willfully and knowingly did or caused pirate radio broadcasting in violation of section 511 of the Act by operating an unauthorized radio station on 90.1 MHz in North Miami, Florida from February 5 through March 5, 2023. We further find that Polynice's inability to pay is significantly outweighed by the nature, circumstances, extent and gravity of the violations. Accordingly, we decline to cancel or reduce the forfeiture proposed in the *2024 NAL* and assess the full forfeiture amount of $2,391,097.[48]

V. ORDERING CLAUSES

10. Accordingly, **IT IS ORDERED** that, pursuant to section 511 of the Act, 47 U.S.C. § 511, and section 1.80 of the Commission's rules, 47 CFR § 1.80, Fabrice Polynice is **LIABLE FOR A MONETARY FORFEITURE** in the amount of two million, three hundred ninety-one thousand, ninety-seven dollars ($2,391,097) for willfully and knowingly violating section 511 of the Act.

11. Payment of the forfeiture shall be made in the manner provided for in section 1.80 of the Commission's rules, 47 CFR § 1.80, within thirty (30) calendar days after the release of this Forfeiture Order. Polynice 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. 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, 47 U.S.C. § 504(a).

12. In order for Fabrice Polynice to pay the proposed forfeiture, Fabrice Polynice 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. 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 forfeiture payments by check or money order. Below are instructions that payors should follow based on the form of payment selected:[49]

- 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[50] or printed CORES form[51] must be faxed to the Federal Communications Commission at 202-418-2843 or e-mailed to

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forfeiture); *Whisler Fleurinor,* Forfeiture Order, 28 FCC Rcd 1087, 1090, paras. 8-9 (EB 2013) (where the Bureau noted that Mr. Fleurinor's financial documentation "under ordinary circumstances, and standing alone, may arguably support a reduction of the forfeiture," but determined that "an individual's ability (or inability) to pay a forfeiture is just one of the factors we consider in determining the appropriate forfeiture penalty")..

[48] 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.

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

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

[51] 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.

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).[52] 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 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.

13. 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 NE, Washington, D.C. 20554. 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.

14. **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 Fabrice Polynice at {[ ]} NE 12 Avenue, Miami, Florida 33161, and to his attorney, Dan J. Alpert at {[ ]} N. 21st Road, Arlington, Virginia 22201.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

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