

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

In the Matter of)	
)	
Radio Energy, Inc.,)	File Nos.: EB-FIELDNER-24-00036631,
and Pelege Marcellin)	EB-FIELDNER-24-00036632
Brockton, Massachusetts)	NAL/Acct No.: 202532010008
)	FRN: 0037332392
)	

NOTICE OF APPARENT LIABILITY FOR FORFEITURE

Adopted: September 8, 2025**Released: September 9, 2025**

By the Commission:

I. INTRODUCTION

1. In this Notice of Apparent Liability for Forfeiture (NAL), we propose a penalty of \$60,000 against Radio Energy, Inc., (REI) and Pelege Marcellin (Marcellin), jointly and severally, for operating an unauthorized radio station, known as “Radio Energy Boston” on 1620 kHz in Mattapan, Massachusetts (1620 Station), and 1640 kHz in Brockton, Massachusetts (1640 Station), by which REI and Marcellin apparently willfully and knowingly did, caused, or suffered to be done pirate radio broadcasting. REI and Marcellin operated the 1620 Station and the 1640 Station on September 11, 2024, resulting in two (2) 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 [AM band], or 87.7 and 108 megahertz, inclusive [FM band], 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.”⁵ Part 15, among other requirements, states that for unlicensed operation in the AM band, “[t]he total length of the transmission line, antenna and ground lead (if used) shall not exceed 3 meters.”⁶

B. Factual Background

3. After receiving a complaint in 2024 about interference to a licensed radio station transmitting in the 1600 kHz band in Boston, Massachusetts, field agents (Agents) from the FCC’s Boston Field Office began an investigation into the nature and source of the interference. Their initial investigation revealed an unlicensed radio station transmitting on 1620 kHz in the Boston suburb of Mattapan. Further investigation by the Agents led to the discovery of the same programming being broadcast on 1640 kHz in Brockton (approximately 16 miles away). Both stations were eventually linked to Radio Energy Boston, operated by Marcellin and REI.

i. 1620 Station – Mattapan, Massachusetts

4. On September 11, 2024, in follow up to the complaint, Agents monitored the frequency 1620 kHz in Boston, Massachusetts, and, using direction-finding techniques, traced the source of a signal to a multi-tenant commercial building located at 1601 Blue Hill Avenue in Mattapan, Massachusetts (Mattapan Site). A review of Commission records revealed no authorization for any AM broadcast station to operate at or near the Mattapan Site on any frequency. The Agents made an audio recording of the 1620 Station’s over-the-air broadcast, in which the 1620 Station programming identified itself as “Radio Energy Boston.”⁷ In addition, the over-the-air broadcast matched the online streaming broadcast of “Radio Energy Boston.”⁸

5. Also on September 11, 2024, Agents attempted to inspect the 1620 Station’s office located at the Mattapan Site.⁹ The Agents obtained the telephone number of a 1620 Station on-air personality from a neighboring tenant, and left a message in which the Agents identified themselves and requested a callback. The Agents then accessed the building’s roof and photographed the AM broadcast antenna. Its coaxial transmission line led across the roof and into the second floor of the two-story building (where the building directory stated that the 1620 Station office was located).¹⁰ The Agents

⁴ See 47 CFR 1.80(b)(6); *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, *6 (EB Jan. 3, 2025); see also, *Annual Adjustment of Civil Monetary Penalties to Reflect Inflation*, 90 Fed. Reg. 3710 (Jan. 15, 2025) (setting January 15, 2025, as the effective date for the increases).

⁵ 47 U.S.C. § 511(h).

⁶ 47 CFR § 15.219(b).

⁷ See September 11, 2024 audio recording of broadcast from Mattapan Site (on file in EB-FIELDNER-24-00036631).

⁸ See September 11, 2024 video recording comparing the 1620 Station’s over-the-air broadcast with Radio Energy Boston’s online stream (on file in EB-FIELDNER-24-00036631). Agents recorded the online streaming of the Station’s audio. Radio Energy Boston, *TuneIn.com*, <https://tunein.com/radio/Radio-Energy-Boston-s251559/> (last visited Feb. 18, 2025).

⁹ See September 11, 2024 photographs of the Mattapan Site building directory showing the “Radio Energy” office located in Suite 202 (on file in EB-FIELDNER-24-00036631).

¹⁰ See September 11, 2024 photographs of AM antenna and transmission line located on roof of Mattapan Site (on file in EB-FIELDNER-24-00036631).

visually confirmed at close range that the total length of the transmission line and antenna exceeded the limit for unlicensed operation under part 15 of the Commission's rules.¹¹

6. Later on September 11, 2024, an Agent received a telephone call from a person identifying himself as {[]}(Intermediary).¹² The Intermediary explained that he was a friend of the 1620 Station's owner and was informed of the Agents' message requesting a 1620 Station inspection. The Intermediary noted that the content of the 1620 Station's broadcast was identical to content being broadcast on 1640 kHz from a separate location in Brockton, Massachusetts. The Intermediary offered to host an inspection of the 1640 Station operations at the Brockton location, as it was purportedly located closer to his personal residence.¹³

7. On September 12, 2024, an Agent received text message confirmation from the Intermediary that the 1620 Station at the Mattapan Site had been turned off, along with photos of its transmitter.¹⁴ On September 24, 2024, the Intermediary confirmed, with photos sent via text message, that the antenna at the Mattapan Site had been removed from its roof mount and disconnected from its transmission line.¹⁵

8. During October and November 2024, an Agent periodically monitored the AM band in the Mattapan area and did not detect further over-the-air broadcasting by the 1620 Station.

ii. 1640 Station – Brockton, Massachusetts

9. On September 11, 2024, following up on the Intermediary's mention of a broadcast on 1640 kHz, Agents monitored the frequency 1640 kHz in Boston, Massachusetts, and, using direction-finding techniques, traced the source of a signal to a multi-tenant commercial building located at 71 Legion Parkway in Brockton, Massachusetts (Brockton Site). The Agents documented an AM broadcast antenna atop the building's roof,¹⁶ and determined that the total length of the transmission line and antenna exceeded the limit for unlicensed operation under part 15 of the Commission's rules.¹⁷ The Agents also made an audio recording of the over-the-air broadcast;¹⁸ the broadcast matched the online audio stream for Radio Energy Boston.¹⁹ A review of Commission records revealed no authorization for any AM broadcast station to operate at or near the Brockton Site on any frequency.

10. That same day (September 11, 2024), after receiving the Intermediary's offer to inspect the 1640 Station, the Agents met the Intermediary at the Brockton Site. The Intermediary led the Agents to the Brockton Site roof, where they photographed an AM broadcast antenna and a coaxial transmission line leading from the antenna down three stories to the building's first floor (where the 1640 Station

¹¹ 47 CFR § 15.219(b).

¹² Material set off by double brackets {[]} is confidential and is redacted from the public version of this document.

¹³ See *infra* paras. 10-11 (detailing Agents' inspection of 1640 Station).

¹⁴ See September 12, 2024 text message with photographs from {[]}(on file in EB-FIELDNER-24-00036631).

¹⁵ See September 24, 2024 text message with photographs from {[]}(on file in EB-FIELDNER-24-00036631).

¹⁶ See September 11, 2024 photographs and video of AM antenna located on roof of Brockton Site (on file in EB-FIELDNER-24-00036632).

¹⁷ 47 CFR § 15.219(b).

¹⁸ See September 11, 2024 audio recording of broadcast from Brockton Site (on file in EB-FIELDNER-24-00036632).

¹⁹ See September 11, 2024 video recording comparing 1640 Station's over-the-air broadcast with Radio Energy Boston's online stream (on file in EB-FIELDNER-24-00036632).

office was located).²⁰ The Agents visually confirmed at close range that the total length of the transmission line and antenna exceeded the limits for operation under part 15 of the Commission's rules.²¹

11. The Intermediary then escorted the Agents to Suite 16 at the Brockton Site where the 1640 Station's transmitter was located.²² Agents witnessed and photographed the transmitter operating at a frequency of 1640 kHz.²³ The Intermediary noted that, while Radio Energy Boston's content was also streaming online, the 1620 and 1640 Stations remained actively broadcasting over-the-air. During the inspection, the Intermediary agreed to have both the 1620 Station and 1640 Station permanently shut down and agreed to inform the Agents once the antennas were removed from their respective locations.

12. On September 12, 2024, an Agent received text message confirmation from the Intermediary that the 1640 Station at the Brockton Site had been turned off, along with photos of its transmitter.²⁴ On September 18, 2024, The Intermediary confirmed with photos sent via text message that the antenna at the Brockton Site had been removed from its roof mount and disconnected from its transmission line.²⁵

13. During October and November 2024, an Agent periodically monitored the AM band in the Brockton area and did not detect further over-the-air broadcasting by the 1640 Station.

iii. REI and Marcellin's Connections to the 1620 Station and 1640 Station

14. An internet search for information on the illegal broadcasting occurring on 1620 kHz and 1640 kHz produced an October 12, 2022 news article detailing Marcellin's purchase of Radio Energy Boston, describing it as a local radio station broadcasting on both 1620 kHz and 1640 kHz and located in Mattapan.²⁶ The article describes Marcellin's recent renovation of the studio and his "plan to have different programs to cater to many demographics."²⁷ The article also includes Marcellin's purported photograph, showing him in a broadcast studio with "Radio 1620" stenciled on the window and the Radio

²⁰ See September 11, 2024 photographs and video of AM antenna located on roof of Brockton Site (on file in EB-FIELDNER-24-00036632); September 11, 2024 photographs of Suite 16 at the Brockton Site (on file in EB-FIELDNER-24-00036632).

²¹ 47 CFR § 15.219(b).

²² See September 11, 2024 photographs of Brockton Site and 1640 Station inspection (on file in EB-FIELDNER-24-00036632).

²³ See *id.*

²⁴ See September 12, 2024 text message with photographs from {} (on file in EB-FIELDNER-24-00036632).

²⁵ See September 18, 2024 text message with photographs from {} (on file in EB-FIELDNER-24-00036632).

²⁶ Alisha Saint-Ciel, *Brockton man buys radio station with dream of creating Haitian music hub* (Oct. 12, 2022), <https://www.enterpriseneews.com/story/business/2022/10/12/brockton-haiti-pelege-marcellin-buys-boston-radio-station-1620-am-1640-fm-music-culture/8178338001/> (on file in EB-FIELDNER-24-00036631).

²⁷ *Id.*

Energy Boston logo²⁸ displayed on a door and table.²⁹ A related October 16, 2022 news article summarized Marcellin’s purchase of Radio Energy Boston and included a different photograph of Marcellin in the same broadcast studio, showing a more complete view of the “Radio Energy 1620 AM” window stencil and the table displaying the Radio Energy Boston logo.³⁰ Marcellin is also listed in Commonwealth of Massachusetts corporate records as the president, treasurer, secretary and director of REI.³¹ REI’s 2024 annual report lists its corporate business purpose as “radio broadcasting and marketing (sic).”³² REI’s annual reports also show that Marcellin has served as president of REI since 2018³³ and as its sole officer since 2023.³⁴

III. DISCUSSION

15. We find that REI and Marcellin, in apparent violation of section 511 of the Act,³⁵ willfully and knowingly did, caused, or suffered to be done pirate radio broadcasting through the operation of two unlicensed radio stations on September 11, 2024: (1) on 1620 kHz in Mattapan, Massachusetts; and (2) on 1640 kHz in Brockton, Massachusetts. On that date, Agents determined that the length of the Station’s antennas and transmission lines at both the Mattapan Site and Brockton Site exceeded the maximum allowed length for operation under part 15 of the Commission’s rules.³⁶ Therefore, all transmissions from the Mattapan Site and Brockton Site on these dates failed to comply with part 15 of the Commission’s rules.³⁷ A review of Commission records reveals no authorization for any AM broadcast station to operate at or near the Mattapan Site on 1620 kHz or the Brockton Site on 1640 kHz at all times relevant to this case. Evidence collected by the Agents—including media interviews with Marcellin, and Commonwealth of Massachusetts records for REI—shows that REI and Marcellin are the operators of the Station.³⁸ Accordingly, the Commission finds that REI and Marcellin’s unlicensed broadcasting of Radio Energy Boston on September 11, 2024, constituted pirate radio broadcasting in apparent violation of section 511 of the Act.³⁹

²⁸ Radio Energy Boston employs a distinctive logo—a green circle against a light background surrounded by the words “Radio Energy Boston” and enclosing a stylized, orange-colored letter “Z”. Examples of Radio Energy Boston’s logo can be found on various Radio Energy Boston social media pages: Radio Energy Boston, *Radio Energy Boston*, <https://www.radioenergieboston.com/home> (last visited June 18, 2025); Radio Energy Boston, *Facebook*, <https://www.facebook.com/Radaioenergyboston/> (last visited June 18, 2025); Radio Energy Boston, *YouTube*, <https://www.youtube.com/@radioenergyboston2441#:~:text=As%20part%20of%20the%20Radio%20Energy%20network,%20owned> (last visited June 18, 2025); and Radio Energy Boston, *TuneIn*, <https://tunein.com/radio/Radio-Energy-Boston-s251559/> (last visited June 18, 2025).

²⁹ See *supra* note 26.

³⁰ Kathy Bossa, *Brockton man buys radio station with dream of creating Haitian music hub* (Oct. 16, 2022), <https://www.aol.com/news/haitian-music-hub-liquor-store-080006630.html?guccounter=1>.

³¹ See Radio Energy, Inc., Secretary of the Commonwealth of Massachusetts, Corporations Division, <https://corp.sec.state.ma.us/CorpWeb/CorpSearch/CorpSummary.aspx?sysvalue=.JI9X2aMcaveCszcMoWBI7.OLUCyUO03RTSVGxLzOw-> (last visited June 18, 2025).

³² See 2024 Annual Report for Radio Energy, Inc. (on file in EB-FIELDNER-24-00036631).

³³ See 2018-2024 Annual Reports for Radio Energy, Inc. (on file in EB-FIELDNER-24-00036631).

³⁴ See 2023 and 2024 Annual Reports for Radio Energy, Inc. (on file in EB-FIELDNER-24-00036631).

³⁵ 47 U.S.C. § 511.

³⁶ 47 CFR § 15.219(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”).

³⁷ 47 CFR § 15.219(b); see also 47 U.S.C. § 511(h).

³⁸ See *supra* para. 14.

³⁹ 47 U.S.C. § 511(a), (h).

A. Joint and Several Liability

16. As discussed above, we find that REI and Marcellin are each apparently liable for willfully and knowingly doing, or causing, or suffering to be done pirate radio broadcasting under section 511 of the Act, which imposes liability on “any person.”⁴⁰ The term “person,” for purposes of the PIRATE Act, “includes an individual, partnership, association, joint-stock company, or corporation.”⁴¹ Marcellin, therefore, is personally liable for doing, causing, or suffering to be done pirate radio broadcasting⁴² and for overseeing, authorizing and directing the Station as the sole officer and owner of REI.⁴³ The Commission has found in previous enforcement cases that joint and several liability is warranted where more than one party was responsible for a particular violation.⁴⁴ We find that joint and several liability is appropriate here, in light of REI’s and Marcellin’s apparent support of and participation in the unauthorized stations at issue.

B. Proposed Forfeiture

17. 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.”⁴⁵ 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.”⁴⁶ We may adjust a forfeiture downward for minor violations, good faith or voluntary disclosure, a history of overall compliance, or an inability to pay.⁴⁷

18. Section 511 of the Act and section 1.80 of the Commission’s rules authorize enhanced penalties for pirate radio broadcasting.⁴⁸ 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 \$122,661 for each day during which the offense occurs, but not more than \$2,453,218 in total.⁴⁹

19. The primary intent of the PIRATE Act is to increase financial penalties for pirate radio broadcasting.⁵⁰ Accordingly, in 2023, the Commission established a base forfeiture of \$20,000 for pirate

⁴⁰ *Id.* § 511(a).

⁴¹ *Id.* § 153(39).

⁴² *See id.* at § 511(a).

⁴³ *See Thomas Dorsher, Charitel Inc, Ontel Inc, Scammerblaster Inc*, Notice of Apparent Liability for Forfeiture, 37 FCC Rcd 8988, 9001, para. 29 (2022), (finding personal liability where the individual in question “is an officer of a closely held corporation and directly participates in, oversees, authorizes or otherwise directs the commission of the wrongful act.”), *aff’d*, Forfeiture Order, 38 FCC Rcd 9139 (2023).

⁴⁴ *César Ayora and Luis Angel Ayora, Queens, New York*, Forfeiture Order, 38 FCC Rcd 9747 (2023); *Fabrice Polynice, Harold Sido and Veronise Sido, North Miami, FL*, Forfeiture Order, 33 FCC Rcd 6852 (2018). Such liability “may be assigned to any individual taking part in the operation of the unlicensed station, regardless of who else may be responsible for the operation.” *Andre Alleyne, Jesse White*, Forfeiture Order, 26 FCC Rcd 10372, 10374, para. 8 (EB 2011).

⁴⁵ 47 U.S.C. § 511(a).

⁴⁶ 47 CFR § 1.80(b)(11).

⁴⁷ *Id.*

⁴⁸ 47 U.S.C. § 511; 47 CFR § 1.80(b)(6).

⁴⁹ *See supra* note 4.

⁵⁰ *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.”).

radio broadcasting,⁵¹ which is twice the pre-PIRATE Act base forfeiture level. Consequently, for the operation of two separate unauthorized stations on September 11, 2024, by which REI and Marcellin apparently willfully and knowingly violated section 511 of the Act, we apply this base forfeiture amount, for a total proposed base forfeiture of \$40,000.⁵²

20. Moreover, given the particular facts of this case, and consistent with the *Forfeiture Policy Statement*,⁵³ we conclude that an upward adjustment of the forfeiture is warranted based upon the egregiousness of the violations. Specifically, REI and Marcellin's operation of two separate unauthorized stations (the 1620 Station and the 1640 Station) substantially expanded the geographic coverage of the illegal broadcasting activities and significantly increased the likelihood of interference to lawfully operating stations and the potential for harm to the public if such stations needed to transmit emergency alerts.⁵⁴ Based on the severity of the facts underlying these factors, we propose a \$10,000 upward adjustment of the \$20,000 base forfeiture amount for each of the two pirate radio stations operated by REI and Marcellin on September 11, 2024, for a total penalty of \$60,000. In applying the applicable statutory factors, we also consider whether there is any basis for 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*, REI and Marcellin are apparently jointly and severally liable for a proposed total monetary forfeiture of \$60,000.⁵⁵

IV. CONCLUSION

21. We have determined that Radio Energy, Inc., and Pelege Marcellin apparently willfully and knowingly did, caused, or suffered to be done pirate radio broadcasting in violation of section 511 of the Act. As such, Radio Energy, Inc., and Pelege Marcellin are apparently jointly and severally liable for a forfeiture of \$60,000.

V. ORDERING CLAUSES

22. 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, Radio Energy, Inc., and Pelege Marcellin are hereby **NOTIFIED** of their **APPARENT JOINT AND SEVERAL LIABILITY FOR A FORFEITURE** in the amount of sixty thousand dollars (\$60,000) for willful and knowing violations of section 511 of the Act, 47 U.S.C. § 511.

23. **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, Radio Energy, Inc. and Pelege Marcellin **SHALL PAY** the full amount of the proposed

⁵¹ 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, 38 FCC Rcd 9747 (2023); *Thomas Barnes, La Grande, Oregon*, Notice of Apparent Liability for Forfeiture, 38 FCC Rcd 2554, 2558, para. 12 (2023), *aff'd*, Forfeiture Order, 38 FCC Rcd 974 (2023).

⁵² See 47 U.S.C. § 511.

⁵³ 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).

⁵⁴ See *Jean Marius, Randolph, Massachusetts*, Notice of Apparent Liability for Forfeiture, 39 FCC Rcd 4486, 4490, para 13 (2024).

⁵⁵ 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.

forfeiture or **SHALL FILE** a written statement seeking reduction or cancellation of the proposed forfeiture consistent with paragraph 26.

24. In order for REI and Pelege Marcellin to pay the proposed forfeiture, they shall notify the Office of the Field Director at field@fcc.gov of their intent to pay, whereupon an invoice will be posted in the Commission's Registration System (CORES) at <https://apps.fcc.gov/core/userLogin.do>. Upon payment, REI and Marcellin 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/core/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:⁵⁶

- 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 00(s) captioned above and the letters "FORF". In addition, a completed Form 159⁵⁷ or printed CORES form⁵⁸ 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).⁵⁹ 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/core/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/core/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

⁵⁶ For questions regarding payment procedures, please contact the Financial Operations Group Help Desk by phone at 1-877-480-3201 (option #6).

⁵⁷ FCC Form 159 is accessible at <https://www.fcc.gov/licensing-databases/fees/fcc-remittance-advice-form-159>.

⁵⁸ 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/core/userLogin.do>.

⁵⁹ Instructions for completing the form may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>.

payment will be made and verify with that financial institution that the designated account has authorization to accept ACH transactions.

25. 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. 20554.⁶⁰ 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.

26. 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.⁶¹ 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.

27. 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.⁶² 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.⁶³

28. **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 Radio Energy,

⁶⁰ See 47 CFR § 1.1914.

⁶¹ *Id.* §§ 1.16, 1.80(g)(3).

⁶² 47 U.S.C. § 503(b)(2)(E).

⁶³ 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 Marcellin, 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, 14903–904, paras. 32–33 (2015); *TV Max, Inc., et al.*, Forfeiture Order, 29 FCC Rcd 8648, 8661, para. 25 (2014).

Inc. c/o Yvon Grandchamps,⁶⁴ 1601 Blue Hill Avenue, Mattapan, Massachusetts 02126; and Pelege Marcellin, 175 Prospect Street, Brockton, Massachusetts 02301.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

⁶⁴ Yvon Grandchamps is listed as the registered Agent for REI. *See* Radio Energy, Inc., Secretary of the Commonwealth of Massachusetts, Corporations Division, https://corp.sec.state.ma.us/CorpWeb/CorpSearch/CorpSummary.aspx?sysvalue=.JI9X2aMcaveCszcMoWBI7_.OLUCyUO03RTSVGxLzOw- (last visited Mar. 31, 2025).