

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

In the Matter of

Liability of Culpepper File No. BPH - 880817YA
Communications, Inc.,
Licensee of Station
WPFM(FM), Panama City,
Florida for Forfeiture

MEMORANDUM OPINION AND ORDER

Adopted: January 17, 1992; Released: January 27, 1992

By the Commission: Commissioner Quello concurring.

1. The Commission has before it for consideration a Notice of Apparent Liability (NAL) for forfeiture released August 10, 1990, to Culpepper Communications, Inc., licensee of Station WPFM(FM). *In re Applications of Certain Broadcast Stations Serving Communities in the Miami, Florida Area (WPFM(FM))*, 5 FCC Rcd 4893, 4896 (1990). The Notice of Apparent Liability for Forfeiture for \$15,000 was issued for repeated failures to comply with the Commission's affirmative action provisions. 47 C.F.R. Sections 73.2080 (b)(3), (b)(5), (c)(2) and (c)(5).

2. The NAL set out a record of inadequate EEO efforts. Review of the station's renewal application and inquiry response revealed that the licensee failed to recruit minorities or analyze its efforts to recruit, hire, promote and retain minorities during the period under review.

3. Culpepper Communications, Inc. has not responded to the NAL.

4. Accordingly, IT IS ORDERED, pursuant to Section 503(b) of the Communications Act of 1934, as amended, 47 U.S.C. Section 503(b), that Culpepper Communications, Inc. FORFEIT to the United States the sum of fifteen thousand dollars (\$15,000) for failing to comply with the Commission's Affirmative Action provisions. 47 C.F.R. Sections 73.2080 (b)(3), (b)(5), (c)(2) and (c)(5). Full payment of the forfeiture may be made by mailing to the Commission a check or similar instrument payable to the Federal Communications Commission within 30 days of the release date of this Order. In regard to this forfeiture proceeding, the licensee may take any of the actions set forth in Section 1.80 of the Commission's Rules, 47 C.F.R. Section 1.80 and Section 504(a) of the Communications Act of 1934, as amended, 47 U.S.C. Section 504(a), as summarized in the attachment to this Memorandum Opinion and Order.

FEDERAL COMMUNICATIONS COMMISSION

Donna R. Searcy
Secretary