

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

In the Matter of)

DBS Electronics)
(Drennan Boat Supply))
Port Arthur, TX)

NAL/Acct. 515HU0001

MEMORANDUM OPINION AND ORDER

Adopted: October 30, 1996

Released: November 8, 1996

1. The Commission has before it for consideration an Application for Review dated June 5, 1996, and filed by DBS Electronics (Petitioner). Petitioner appeals an order by the Compliance and Information Bureau (Bureau) whereby the Bureau denied reconsideration of a monetary forfeiture of \$3,000 assessed against the Petitioner. The Petitioner was assessed the forfeiture for selling a marine radio transceiver that did not comply with Section 80.203(b) of the Commission's Rules, 47 C.F.R. § 80.203(b). Such a sale is a violation of Section 302(b) of the Communications Act, as amended (the Act), 47 U.S.C. § 302(b). In the Matter of DBS Electronics (Drennan Boat Supply), released May 6, 1996, DA 96-679. The Petitioner has not raised any new arguments on review. We have reviewed the Bureau's evaluation and disposition of the arguments previously presented by DBS, and we find no reason to disturb the Bureau's decision.

2. Accordingly, IT IS ORDERED that, pursuant to 47 C.F.R. § 1.115(g), the Application for Review filed by DBS Electronics is DENIED.

3. IT IS FURTHER ORDERED that, pursuant to Section 503(b) of the Act, 47 U.S.C. § 503(b) and Section 1.80 of the Commission's rules, 47 C.F.R. § 1.80, DBS Electronics is liable for a monetary forfeiture in the amount of three thousand dollars (\$3,000) for violating Section 302(b) of the Act, 47 U.S.C. § 302(b). The amount specified was determined after consideration of the factors set forth in Section 503(b) of the Act.

4. IT IS FURTHER ORDERED that, pursuant to Section 1.80(h), DBS Electronics, shall, within thirty (30) days of the release date of this Order, pay the full amount of the

forfeiture. Payment may also be made by credit card with the appropriate documentation. The remittance should be marked NAL Acct. No. 515HU0001 and be mailed to the following address:

Federal Communications Commission
P.O. Box 73482
Chicago, Illinois 60673-7482

Forfeiture penalties not paid within 30 days will be referred to the U.S. Attorney for recovery in a civil suit, 47 U.S.C. § 504(a).

5. IT IS FURTHER ORDERED that this Order shall be sent by certified mail, return receipt requested, to DBS Electronics and a copy to its attorney.

FEDERAL COMMUNICATIONS COMMISSION

William F. Caton
Acting Secretary