

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

In the Matter of)	
)	
Notice of Apparent)	File Nos. BR-950601WG
Liability for Forfeiture)	BRH-950601WH
Issued to)	
WCMS Radio Norfolk, Inc.)	
Norfolk, Virginia)	

ORDER

Adopted: October 15, 1997

Released: October 20, 1997

By the Commission:

We consider herein a Request for Rescission of Forfeiture filed by WCMS Radio Norfolk, Inc. ("the licensee"). On September 10, 1996, the Commission issued a Notice of Apparent Liability for Forfeiture in the amount of \$14,000, finding that the licensee had violated the Commission's EEO Rule. See WCMS Radio Norfolk, Inc., 11 FCC Rcd 11081 (1996) ("NAL"). On September 9, 1997, pursuant to 47 C.F.R. Section 1.80(f)(4) of the Commission's Rules, 47 C.F.R. § 1.80(f)(4), the Commission issued a Forfeiture Order as the Commission's records did not indicate that the licensee had responded to the NAL. See WCMS Radio Norfolk, Inc., FCC 97-314 (Rel. September 9, 1997) ("Forfeiture Order"). On September 12, 1997, the licensee submitted a letter to the Commission's staff stating that the licensee had paid the forfeiture, and included a copy of a check by which it claimed to have paid the forfeiture. We note that the check did not include a control number, and it does not appear that payment had been credited to this proceeding at the time the Forfeiture Order was released. We conclude, however, that the licensee has presented valid proof of payment of the forfeiture. Accordingly, the Forfeiture Order is hereby rescinded.

FEDERAL COMMUNICATIONS COMMISSION

William F. Caton
Acting Secretary