

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

In the Matter of	)	
	)	
Jeffrey Alan Pettrey	)	File No. EB-01-CF-148
	)	
Princeton, West Virginia	)	NAL/Acct. No. 200132340003
	)	
	)	FRN 0005-0236-01

**MEMORANDUM OPINION AND ORDER**

**Adopted:** December 13, 2001

**Released:** December 17, 2001

By the Chief, Enforcement Bureau:

1. In this *Memorandum Opinion and Order* (“*Order*”), we cancel the proposed monetary forfeiture in the amount of ten thousand dollars (\$10,000) issued to Jeffrey Alan Pettrey for his apparent violation of Section 301 of the Communications Act of 1934, as amended (“the Act”).<sup>1</sup> The noted violation involved operation of an unlicensed radio transmitter.

2. On July 30, 2001, the District Director of the Commission's Columbia, Maryland Field Office issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”)<sup>2</sup> in the amount of \$10,000 to Mr. Pettrey for the noted violation. Mr. Pettrey filed a response to the *NAL* on August 7, 2001 accompanied by documentation regarding his ability to pay the proposed forfeiture. After reviewing Mr. Pettrey's response, we conclude that cancellation of the proposed \$10,000 forfeiture is warranted based on Mr. Pettrey's inability to pay the proposed forfeiture.

3. Accordingly, **IT IS ORDERED** that, pursuant to Section 504(b) of the Act<sup>3</sup> and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission's Rules,<sup>4</sup> the forfeiture in the amount of ten thousand dollars (\$10,000) proposed in the July 30, 2001 *NAL* issued to Jeffrey Alan Pettrey **IS CANCELLED**.

<sup>1</sup> 47 U.S.C. § 301.

<sup>2</sup> *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200132340003 (Enf. Bur., Columbia Office, released July 30, 2001).

<sup>3</sup> 47 U.S.C. § 504(b).

<sup>4</sup> 47 C.F.R. §§ 0.111, 0.311 and 1.80(f)(4).

4. **IT IS FURTHER ORDERED** that, a copy of this *Order* shall be sent by Certified Mail Return Receipt Requested to Jeffrey Alan Pettrey at 4014 West Main Street, Princeton, West Virginia 24740.

**FEDERAL COMMUNICATIONS COMMISSION**

David H. Solomon  
Chief, Enforcement Bureau