

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

In the Matter of)	
)	File No. EB-02-PA-013
Networx Corporation)	NAL/Acct. No. 200232400008
Pittsford, New York)	FRN #0006-0222-97

MEMORANDUM OPINION AND ORDER

Adopted: August 14, 2003

Released: August 18, 2003

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 Networx Corporation (“Networx”) for an apparent willful violation of Section 301 of the Communications Act of 1934, as amended (“Act”).¹ The alleged violation was Networx’s unauthorized operation of FM broadcast transmitters.

2. After reviewing the record before us, we conclude that there is not enough evidence to support a finding that Networx operated the FM broadcast transmitters at the location specified by the *NAL* in violation of Section 301 of the Act.

3. Accordingly, **IT IS ORDERED** that, pursuant to Section 504(b) of the Act² and Section 1.80(f)(4) of the Rules,³ the proposed \$10,000 monetary forfeiture against Networx **IS CANCELLED**.

4. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by first class mail and certified mail, return receipt requested, to Networx Corporation, 1 Fishers Road, Pittsford, New York 14534, and to its counsel, Timothy K. Brady, Esquire, P.O. Box 71309, Newnan, Georgia 30271.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

¹ 47 U.S.C. § 301.

² 47 U.S.C. § 504(b).

³ 47 C.F.R. § 1.80(f)(4).