

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

In the Matter of)	
)	
Robert B. Taylor)	File No. EB-02-CG-609
Antenna Structure # 1030929)	NAL/Acct. No. 200332320003
Fort Wayne, Indiana)	FRN: 0000 0116 43

MEMORANDUM OPINION AND ORDER

Adopted: September 16, 2004

Released: September 20, 2004

By the Chief, Enforcement Bureau:

1. In this *Memorandum Opinion and Order* (“*Order*”), we cancel a monetary forfeiture of ten thousand dollars (\$10,000) issued to Robert B. Taylor for apparent willful and repeated violation of Section 17.50 of the Commission’s Rules (“*Rules*”).¹ The noted violation involved the failure to repaint an antenna structure as often as necessary to maintain good visibility.

2. On January 23, 2003, the District Director of the Commission’s Chicago, Illinois Field Office issued to Robert B. Taylor, a *Notice of Apparent Liability for Forfeiture* in the amount of ten thousand dollars (\$10,000) for the noted apparent Rule violation.² In a response dated January 31, 2003, Mr. Taylor stated that he painted the tower before receiving notice of the violation and submitted satisfactory documentation to that effect. On May 31, 2003, Mr. Taylor filed with the Commission an application for a change in ownership of the subject antenna structure, which was granted that same day.³ Mr. Taylor is no longer a Commission licensee.

3. After reviewing the particular circumstances in this case, and in accordance with the discretion authorized by Section 504(b) of the Act⁴ and implemented by Section 1.80(i) of the Rules,⁵ we conclude that cancellation of the forfeiture amount of \$10,000 is warranted.⁶

¹ 47 C.F.R. § 17.50.

² Robert B. Taylor, *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200332320003 (Enf. Bur. 2003).

³ On May 31, 2003, Mr. Taylor assigned to Travis Broadcasting, LLC, Antenna Structure Nos. 1030929 and 1030930. The assignments were granted on May 31, 2003. In addition, on December 26, 2002, Mr. Taylor filed an application to assign WXKE and WYLT to Travis Broadcasting. *See Application for Assignment of License from Robert B. Taylor to Travis Broadcasting, LLC* (File Nos. BALH-20021030ABG and BAL-20021030ABF). Granted December 20, 2002. Consummated May 30, 2003.

⁴ 47 U.S.C. § 504(b).

⁵ 47 C.F.R. § 1.80(i).

4. Accordingly, **IT IS ORDERED** that, pursuant to Section 504(b) of the Act and Section 1.80(i) of the Rules, the \$10,000 forfeiture issued to Robert B. Taylor **IS CANCELLED**.

5. **IT IS FURTHER ORDERED** that, a copy of this *Order* shall be sent by regular mail and Certified Mail Return Receipt Requested to this Order shall be sent by first class mail and certified mail, return receipt requested, to Robert B. Taylor, 2541 Goshen Road, Fort Wayne, Indiana 46808.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

⁶ See *Grass Roots Broadcasting*, 19 FCC Rcd. 4018 (Enf. Bur. 2004); see also *Madison Broadcasting Group, Inc.*, 18 FCC Rcd 4860, 4861 (Enf. Bur. 2003).