

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

In the Matter of)	
)	
AERCO Broadcasting Corporation)	File No.: EB-FIELDSCR-13-00007129
)	NAL/Acct. No.: 201232680005
Licensee of Station WSJU-TV,)	FRN No.: 0003732435
San Juan, PR)	Facility ID No.: 4077

MEMORANDUM OPINION AND ORDER

Adopted: December 11, 2014

Released: December 11, 2014

By the Commission:

1. We deny the Application for Review filed by AERCO Broadcasting Corporation (AERCO), licensee of Station WSJU-TV, San Juan, Puerto Rico.¹ AERCO seeks review of a Memorandum Opinion and Order (*MO&O*) issued by the Enforcement Bureau (Bureau), which affirmed the Bureau's *Forfeiture Order* that found that AERCO was liable for a forfeiture in the amount of \$4,000 for operating a studio to transmitter link on an unauthorized frequency over a nine month period in violation of Section 301 of the Communications Act of 1934, as amended (Act), and Section 1.903(a) of the Commission's rules (Rules).² AERCO raises two issues on review, both of which were argued previously before the Bureau and rejected.

2. Upon consideration of the Application for Review and the entire record, we conclude that AERCO has not demonstrated that the Bureau erred. The Bureau, in the *Forfeiture Order* and the *MO&O*, properly decided the matters raised, and we uphold its decisions for the reasons stated therein.³

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 5(c)(5) of the Act and Section 1.115(g) of the Rules, the Application for Review **IS DENIED**.⁴

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

¹ Application for Review of AERCO Broadcasting Corporation (Jun. 13, 2014) (on file in EB-FIELDSCR-13-00007129).

² *AERCO Broadcasting Corporation*, Memorandum Opinion and Order, 29 FCC Rcd 5212 (Enf. Bur. 2014) (*MO&O*), *aff'g*, Forfeiture Order, 28 FCC Rcd 15804 (Enf. Bur. 2013) (*Forfeiture Order*), *aff'g*, Notice of Apparent Liability for Forfeiture and Order, 27 FCC Rcd 8873 (Enf. Bur. 2012); 47 U.S.C. § 301; 47 C.F.R. § 1.903(a).

³ In the *Forfeiture Order*, the Enforcement Bureau stated that "even if AERCO could demonstrate a history of compliance with the Rules, we find that the forfeiture amount remains appropriate, given the facts and circumstances of this case." *Forfeiture Order*, 28 FCC Rcd at 15806 n. 19. We agree and therefore do not reach the issue of whether AERCO has a history of complying with the Commission's rules.

⁴ 47 U.S.C. § 155(c)(5); 47 C.F.R. § 1.115(g).