

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

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| In the Matter of |) | |
| |) | |
| Drew Buckley |) | File No.: EB-FIELDNER-13-00012151 |
| |) | NAL/Acct. No.: 201432400008 |
| Bay Shore, New York |) | FRN: 0023486996 |

FORFEITURE ORDER

Adopted: January 13, 2015

Released: January 13, 2015

By the Regional Director, Northeast Region, Enforcement Bureau:

1. We impose a penalty of \$25,000 against Drew Buckley of Bay Shore, New York, for operating a radio transmitter without a license and interfering with the licensed radio communications system of the Melville Fire District of New York (Melville). The fact that Mr. Buckley intentionally and maliciously interfered with frequencies used by Melville to communicate during fire emergencies demonstrates a deliberate disregard for public safety and the Commission's authority and rules, warranting a significant penalty.

2. On June 26, 2014, the Enforcement Bureau's Philadelphia Office issued a Notice of Apparent Liability for Forfeiture (*NAL*) proposing a \$25,000 forfeiture against Mr. Buckley for willful and repeated violations of Sections 301 and 333 of the Communications Act of 1934, as amended (Act),¹ by operating an unlicensed radio transmitter on an unauthorized frequency and causing interference to a public safety licensee in Melville, New York.² Mr. Buckley's counsel made multiple requests for extensions of time to respond to the *NAL*.³ Despite these extensions, Mr. Buckley has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture proposed in the *NAL*.

3. Accordingly, **IT IS ORDERED** that, pursuant to Section 503(b) of the Act,⁴ and Sections 0.111, 0.204, 0.311, 0.314, and 1.80 of the Commission's rules,⁵ Drew Buckley is **LIABLE FOR A MONETARY FORFEITURE** in the amount of twenty-five thousand dollars (\$25,000) for willfully and repeatedly violating Sections 301 and 333 of the Act.⁶

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Commission's rules within thirty (30) calendar days after the release date of this Forfeiture Order.⁷ If the

¹ 47 U.S.C. §§ 301, 333.

² *Drew Buckley*, Notice of Apparent Liability for Forfeiture, 29 FCC Rcd 7586 (Enf. Bur. 2014) (*NAL*). A comprehensive recitation of the facts and history of this case can be found in the *NAL* and is incorporated herein by reference.

³ See Email from David Dombrowski, District Director, Philadelphia Office, to Lewis H. Goldman, Esq., Counsel for Drew Buckley (July 23, 2014) (granting a 30-day extension of time to respond) (on file in EB-FIELDNER-13-00012151). Further extensions were granted via telephone conversations on August 8, 2014, August 25, 2014, and September 26, 2014.

⁴ 47 U.S.C. § 503(b).

⁵ 47 C.F.R. §§ 0.111, 0.204, 0.311, 0.314, 1.80.

⁶ 47 U.S.C. §§ 301, 333.

⁷ 47 C.F.R. § 1.80.

forfeiture is not paid within the period specified, the case may be referred to the U.S. Department of Justice for enforcement of the forfeiture pursuant to Section 504(a) of the Act.⁸

5. Payment of the forfeiture must be made by check or similar instrument, wire transfer, or credit card, and must include the NAL/Account Number and FRN referenced above. Drew Buckley shall send electronic notification of payment to NER-Response@fcc.gov on the date said payment is made. Regardless of the form of payment, a completed FCC Form 159 (Remittance Advice) must be submitted.⁹ When completing the FCC Form 159, enter the Account Number in block number 23A (call sign/other ID) and enter the letters "FORF" in block number 24A (payment type code). Below are additional instructions you should follow based on the form of payment you select:

- Payment by check or money order must be made payable to the order of the Federal Communications Commission. Such payments (along with the completed Form 159) must be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000, or sent via overnight mail to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101.
- Payment by wire transfer must be made to ABA Number 021030004, receiving bank TREAS/NYC, and Account Number 27000001. To complete the wire transfer and ensure appropriate crediting of the wired funds, a completed Form 159 must be faxed to U.S. Bank at (314) 418-4232 on the same business day the wire transfer is initiated.
- Payment by credit card must be made by providing the required credit card information on FCC Form 159 and signing and dating the Form 159 to authorize the credit card payment. The completed Form 159 must then be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000, or sent via overnight mail to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101.

6. Any request for making full payment over time under an installment plan should be sent to: Chief Financial Officer—Financial Operations, Federal Communications Commission, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554.¹⁰ If you have questions regarding payment procedures, please contact the Financial Operations Group Help Desk by phone, 1-877-480-3201, or by e-mail, ARINQUIRIES@fcc.gov.

⁸ 47 U.S.C. § 504(a).

⁹ An FCC Form 159 and detailed instructions for completing the form may be obtained at <http://www.fcc.gov/Forms/Form159/159.pdf>.

¹⁰ See 47 C.F.R. § 1.1914.

7. **IT IS FURTHER ORDERED** that a copy of this Forfeiture Order shall be sent by first class mail and certified mail, return receipt requested, to Drew Buckley at his address of record, and to his counsel, Lewis H. Goldman, PC, 45 Dudley Court, Bethesda, Maryland 20814.

FEDERAL COMMUNICATIONS COMMISSION

G. Michael Moffitt
Regional Director, Northeast Region
Enforcement Bureau