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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
FIRSTENERGY CORP., ET AL.) Acct. No. X32080028
) File No. EB-00-IH-0069
Licensees of Land Mobile,) JJS
Microwave, Marine Coastal, and)
Ship Radio Stations)
)

ORDER

Adopted: August 29, 2000 Released: August 30,
2000

By the Chief, Enforcement Bureau:

1. In this Order, we adopt the attached Consent Decree in which FirstEnergy Corp. ('`FirstEnergy''), and various subsidiaries or companies controlled by FirstEnergy (collectively, ``Licensees'') agree to implement an internal compliance program and to make a voluntary contribution to the United States Treasury. We find, for the reasons discussed below, that the Consent Decree provides for a just and reasonable resolution of the Bureau's investigation into Licensees' compliance with Section 310(d) of the Communications Act of 1934, as amended, 47 U.S.C. § 310(d), and conclude that adoption of the Consent Decree is in the public interest.

2. FirstEnergy and its subsidiaries are primarily in the business of providing electricity to customers in Ohio and Pennsylvania. FirstEnergy was created as the result of a merger

of Ohio Edison Company (and its wholly owned subsidiary, Pennsylvania Power Company) and Centerior Corporation, the holding company for The Cleveland Electric Illuminating Company and The Toledo Edison Company. The merger took place on November 8, 1997. The Licensees did not seek the Commission's consent to the transfer of control of the licenses, however, until June 1999. The Licensees also disclosed that First Energy had acquired control of Colonial Mechanical Corporation ('`Colonial''), MB Operating Company, Inc. ('`MB''), and Spectrum Control Systems, Inc. prior to applying for the Commission's consent to transfer control of the licenses held by those entities. Finally, in July 2000, while completing a due diligence review of its licenses, FirstEnergy discovered potential problems with respect to a transfer of MB's assets and the merger of Morrison Mechanical and Building Services, a corporation owned by Colonial, into Colonial.

3. The Bureau has reached an agreement with Licensees that will resolve this investigation. The terms and conditions of the agreement are contained in the attached executed Consent Decree. Among other things, the Consent Decree contemplates that Licensees will implement a program to ensure its future compliance with the Act and the Commission's rules and policies. In addition, the Consent Decree contemplates that FirstEnergy will make a voluntary contribution to the United States Treasury in the amount of \$35,000.00.¹

4. We have reviewed the Consent Decree and evaluated the circumstances underlying the investigation. We believe that the public interest would be served by adopting the Consent Decree and terminating the investigatory proceeding.

5. ACCORDINGLY, IT IS ORDERED that, pursuant to delegated authority, the Consent Decree attached hereto IS ADOPTED.

6. IT IS FURTHER ORDERED, that the above-captioned investigatory proceeding IS TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

¹ Payment may be made by credit card through the Commission's Credit and Debt Management Center at (202) 418-1995 or by mailing a check or similar instrument, payable to the order of the Federal Communications Commission, to the Forfeiture Collection Section, Finance Branch, Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note the Acct. No. referenced above.