

## CERTIFIED MAIL – RETURN RECEIPT REQUESTED

March 6, 2012

Mr. Leroy J. DeRosia  
(Address withheld)  
(Address withheld)

Re: EB-FIELDNER-13-00007094  
**WARNING NOTICE**  
Amateur Radio License KD8TBC

Dear Mr. DeRosia:

Since early September 2012, you have been heard and recorded communicating repeatedly in the amateur bands with individuals who identify as “Jim,” “Bobby” and “Eric.” None of these individuals appear to have a license to operate in the amateur bands. Your communications with them make it clear that you are aware of this fact as you have invited them to operate their CB radios on out-of-band frequencies in order to hear your ICOM radio.

Several Official Observers (OOs) recorded the offending transmissions, and provided undersigned counsel with recordings of the incidents in question. Should you desire a copy of the recordings, they will be made available to you.

These incidents constitute unauthorized transmissions in violation of the Commission’s rules. Your operation as described above is contrary to the basis and purpose of the amateur radio service as set out in Section 97.1 and is a violation of Section 97.111(a)(1) of the Commission’s rules, which states in pertinent part “[a]n amateur station may transmit the following types of two-way communications: [t]ransmissions necessary to exchange messages with other stations in the amateur service . . . .”<sup>1</sup> Please be advised that the Commission expects you to abide by its rules. This letter serves as notice that, if operation of this type reoccurs after receipt of this letter, you could be subject to severe penalties, including license revocation, monetary forfeiture (fines),<sup>2</sup> or a modification proceeding to restrict

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<sup>1</sup> See 47 C.F.R. §§ 97.1 and 111(a)(1).

<sup>2</sup> Fines normally range from \$7,500 to \$10,000.

the frequencies upon which you may operate.

Sincerely,

Laura L. Smith, Esq.  
Special Counsel  
Enforcement Bureau

Cc: Detroit Field Office  
Northeast Regional Director