CERTIFIED MAIL – RETURN RECEIPT REQUESTED

January 21, 2012

Mr. John B. Stuart
(Address withtheld)
(Address withheld)

Re: EB-FIELDNER-13-00006421
WARNING NOTICE
Amateur Radio License KD5RDY

Dear Mr. Stuart:

Since early January, you have been heard and recorded communicating repeatedly on 146.520 MHz with an individual who identifies only as "White Noise." Mr. John Watkins, aka "White Noise," does not have a license to operate in the amateur bands. Your communications with him make it clear that you are aware of this fact, but you continued communicating with him nonetheless.

Several amateurs in the San Antonio area 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 . . . ".[1] 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),[2] or a modification proceeding to restrict

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[1] *See* 47 C.F.R. §§ 97.1 and 111(a)(1).
[2] 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: Dallas Field Office
South Central Regional Director