

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

August 5, 2009

Donald B. Flowers
(address withheld)
Lucama, NC

Re: Vanity Call Sign NC4DF
EB-09-GB-0188

Dear Mr. Flowers:

According to Commission records, on June 25, 2004, you requested the call sign NC4DF as a “former holder” of that call sign. By letter dated June 17, 2009, the Commission notified you that it was unable to find documentation that you were indeed a former holder of NC4DF and requested that you provide documentation that you held NC4DF prior to your June 25, 2004 grant.

You responded to the Commission’s letter on July 6, 2009. In that letter, you acknowledged that you were not a former holder of call sign NC4DF. You noted, however, that you did not knowingly make the claim that you were a “former holder of this call sign” but that instead you “merely applied online and was subsequently assigned the call sign.”

A review of Commission records indicates that in your application of June 6, 2004, you did indeed request the call sign NC4DF pursuant to the “former holder” exemption. While this may have been an error on your part in completing the application, you did receive a call sign under an exemption for which you were not eligible.

Accordingly, you have twenty (20) days from the date of receipt of this letter to voluntarily file an application to modify your current call sign back to your prior call sign of KG4BBT or to apply for another call sign for which you are eligible.

Should you fail to do this within the prescribed time frame, the Commission will initiate a license modification proceeding against you and will so modify your license on our own motion. In addition, the Commission would have the discretion to pursue possible enforcement action against you for knowingly and willfully making a false

statement or concealing a material fact with respect to your original application incorrectly stating that you were a "former holder" of the call sign in question.¹

Please call me at (717) 338-2577 if you have any questions about this matter.

Sincerely,

Laura L. Smith
Special Counsel

Cc: Norfolk Field Office
South Central Regional Director

¹ See 18 U.S.C. § 1001; see also 47 C.F.R. § 1.17.