



FEDERAL COMMUNICATIONS COMMISSION
Enforcement Bureau
Spectrum Enforcement Division
1270 Fairfield Road
Gettysburg, Pennsylvania 17325-7245

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 16, 2007

Charles K. Caprio
906 Palo Verde Drive
Bullhead City, AZ 86442

SUBJECT: Amateur Radio license AD8Q; Case #EB-07-SE-266
WARNING NOTICE and Request for Information

Dear Mr. Caprio:

Enclosed are complaints filed against the operation of your station. The complaints allege deliberate interference, recording and transmission of telephone calls, operation on unauthorized frequencies and threats made to licensees. The information contained in the complaints, if true, raises serious questions regarding your qualifications to retain an Amateur license.

Section 308(b) of the Communications Act of 1934, as amended, 47 U.S.C. § 308(b), gives the Commission the authority to obtain information from applicants and licensees about the operation of their station and their qualifications to remain a licensee. **The Instructions for responding to this letter and the Definitions for certain terms used in this letter are contained in the attachment hereto.** We direct you, pursuant to sections 4(i), 4(j), 308(b) and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 308(b) and 403, to provide the information and documents specified below within 20 calendar days from the date of this letter. Unless otherwise indicated, the period of time covered by these inquiries is January 2006 to the present. Accordingly, you are requested to respond to this office within 20 days of receipt of this letter furnishing the following information.

1. Have you made radio transmissions on frequencies outside the Amateur Radio bands? If so, describe the frequencies, dates and times.
2. For the dates and times listed above, state what frequencies and what transmitter powers were used.
3. For each date listed in Question 1, describe the manufacture and model number of the transmitter used to make the transmissions, and describe the antenna used.
4. For each transmitter listed in your answer to Question 3, furnish a copy of the specification sheet for that transmitter and indicate the date you obtained the transmitter.
5. Have you recorded cellular phone conversations, or portable phone conversations? If so, describe the dates and times.

6. If the answer to Question 5 is yes, did you transmit such recordings over radio? If so, describe the dates and times.
7. Have you transmitted ANY telephone conversations over radio, even though not recorded by you?
8. Describe in detail what, if any, complaints you have received about the operation of your station, including incidents of transmitting, through spurious emissions or otherwise, over frequencies assigned to another radio service, including public safety frequencies such as police or fire.
9. Do you operate an Amateur radio repeater system? If so, state the frequencies and furnish a copy of your coordination document, if it is coordinated.
10. If the answer to Question 10 is yes, describe in detail what control procedures you have in effect to make certain that the repeater complies with the Amateur radio service rules.
11. Describe the make, model number and serial number of all transmitting equipment under your control.

You are directed to support your response with a signed and dated affidavit or declaration under penalty of perjury, verifying the truth and accuracy of the information submitted in your response.

To knowingly and willfully make any false statement or conceal any material fact in reply to this inquiry is punishable by fine or imprisonment. *See* 18 U.S.C. § 1001; *see also* 47 C.F.R. § 1.17 (copy enclosed). Failure to respond appropriately to this letter of inquiry may constitute a violation of the Communications Act and our rules.¹

In an inquiry of this type we are required to notify you that under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), the Commission's staff will use all relevant information before it, including information that you disclose in your reply, to determine what, if any, enforcement action is warranted in this matter. Such action may include license revocation, suspension of your operator privileges, or monetary forfeiture (fine). **Fines normally range from \$7,500 to \$10,000.**

Sincerely,

W. Riley Hollingsworth
Special Counsel

Enclosures: 12 pages
cc: FCC Western Regional Director

¹*See SBC Communications, Inc.*, 17 FCC Rcd 7589 (2002); *Globecom, Inc.*, 18 FCC Rcd 19893, n. 36 (2003), *forfeiture ordered*, 21 FCC Rcd 4710 (2006); *World Communications Satellite Systems, Inc.*, 19 FCC Rcd 2718 (Enf. Bur. 2004); *Donald W. Kaminski, Jr.*, 18 FCC Rcd 26065 (Enf. Bur. 2003).