

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

May 18, 2011

Mr. Andrew T. Sylthe
(Address withheld)
(Address withheld)

Re: EB-11-GB-0026
Amateur Radio License KC9ONA
Warning Notice

Dear Mr. Sylthe:

The trustee of KK9DX has requested, by letter dated April 15, 2011, that you refrain from use of this repeater. The written request was issued as a result of your failure to follow operational rules set forth by the licensee/control operators of the repeater system for their users. You were previously issued a verbal request on April 13, 2011, to refrain from using the system, but requested a written confirmation of that request. The trustee complied with your request and on April 15, 2011, sent you a letter confirming that you refrain from using his repeater. On May 12, 2011, you sent the trustee a response to his request. A copy of your response letter is enclosed for your convenience. On May 15, 2011, you were again heard on the KK9DX repeater necessitating the request of the repeater owner for Commission intervention.

The Commission requires that repeaters be under the supervision of a control operator and not only expects, but requires, that such control operators be responsible for the proper operation of the repeater system. Control operators may take whatever steps they deem appropriate to ensure compliance with the repeater rules, including limiting the repeater use to certain users, converting the repeater to a closed repeater or taking it off the air entirely.

Please be advised that the Commission expects you to abide by the request of the control operator that you stay off of KK9DX – and any other similar requests to cease operations on any other repeaters by any other repeater licensees, control operators or trustees.

Use of KK9DX again after receipt of this letter could subject you to severe penalties, including license revocation, monetary forfeiture (fine)¹ or a modification proceeding to restrict the frequencies upon which you may operate.

Sincerely,

Laura L. Smith
Special Counsel

Cc: Chicago Field Office
Northeast Regional Director

¹ Fines normally range from \$7,500 to \$10,000.