

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

August 5, 2009

Juan E. Lopez-Garcia
Valle Arriba BN8 Calle 118
Carolina, PR 00983

Re: Vanity Call Sign KP3KJ
EB-09-GB-0185

Dear Mr. Lopez-Garcia:

According to Commission records, on March 4, 2005, you requested the call sign KP3KJ 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 KP3KJ and requested that you provide documentation that you held KP3KJ prior to your March 4, 2005 grant.

You responded to the Commission’s letter on June 29, 2009. In that letter, you acknowledged that you were not a former holder of call sign KP3KJ. You noted, however, that you did not knowingly make the claim that you were a former holder but that instead you inadvertently checked box “A” when you meant to check box “E.” You further indicated that Spanish was your first language and that is was often difficult for you to understand the English text in the forms.

A review of Commission records indicates that in your application of February 14, 2005, you did indeed request the call sign KP3KJ pursuant to the “former holder” exemption. While we do recognize that, in your instance, there was an error in completing the application due to a language barrier, we note that 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 WP3ZU 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: San Juan Field Office
South Central Regional Director

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