



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

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

August 7, 2007

Smith Trucking, Inc.
2719 Morgantown Road
Smithfield, PA 15478

ATTN: Theodore Smith

SUBJECT: WARNING NOTICE - UNLICENSED RADIO OPERATION
Case #EB-07-SE-3061

Dear Mr. Smith:

Information before the Commission indicates that your drivers have been operating radio equipment without a license on the frequency 28.535 MHz and causing interference to licensed stations in the Ten Meter Amateur Band.

The drivers were observed operating unlicensed in April and May 2007 on Route 19 between the Fairmont, West Virginia area and the Haywood power plant near Shinnston, WV.

Please advise your drivers that operation of radio transmitting equipment without a license is a violation of Section 301 of the Communications Act of 1934, as amended, 47 U.S.C. Section 301, and will subject them to fine or imprisonment, as well as an *in rem* seizure of any non-certified radio transmitting equipment, in cooperation with the United States Attorney for your jurisdiction. **Monetary forfeitures normally range from \$7,500 to \$10,000.**

You are requested to contact me at 717-338-2502 to discuss this matter.

Sincerely,

W. Riley Hollingsworth
Special Counsel

cc: FCC Northeastern Regional Director