



FEDERAL COMMUNICATIONS COMMISSION

**Enforcement Bureau
Spectrum Enforcement Division
1270 Fairfield Road
Gettysburg, Pennsylvania 17325-7245**

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

April 10, 2007

John C. Kimbrough
597 Foxfire Court
Murfreesboro, TN 37129

SUBJECT: WARNING NOTICE and REQUEST FOR STATION INFORMATION
WR3S REPEATER OPERATION
Case #EB-2007-3018 (address corrected)

Dear Mr. Kimbrough:

Monitoring information before the Enforcement Bureau indicates that on various dates in March 2007, your repeater stations have operated without proper control and have re-broadcast portions of commercial TV programming and music, contrary to the Commission's rules regarding the Amateur Radio Service. The monitoring information also shows that operators on your system have failed to properly identify.

The Commission requires that repeaters be under the supervision of a control operator and not only expects, but requires, control operators to be responsible for the proper operation of the repeater system. Control operators must take whatever steps are appropriate to ensure compliance with the rules, including limiting the repeater use to certain users, converting the repeater to a closed repeater or taking it off the air entirely. Repeater bearing your call sign are your responsibility. Your decision to operate repeaters was a voluntary one and you are responsible for any rule violations occurring on those repeaters.

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. Accordingly, you are requested to respond to this office within 30 days of receipt of this letter furnishing the following information:

1. List the names and addresses of control operators of your repeater system on March 16 and 17, 2007.
2. Describe the frequencies and locations of all repeaters that you own, control, or for which you act as control operator. Include exact transmitter addresses and control points.
3. For each repeater listed in #2, describe in detail the configuration, equipment used including amplifiers, antennas, antenna heights and linking configurations.
4. Describe the equipment at your base station, including HF, UHF, VHF and all amplifiers whether in use or in inventory for use or sale.

5. Describe any incidents in which your repeaters were cross-banded to HF frequencies during March 2007 and give full details.
6. Describe any instructions that you have given the users of your repeaters regarding identification of their transmissions when using your repeaters, and describe how and when your repeater stations identify.

In an inquiry of this type we are required to notify you that a willfully false or misleading reply constitutes a separate violation made punishable under *United States Code* Title 18, Section 1001.

The information you submit will be used to determine what, if any, additional enforcement action is warranted. That action may include monetary forfeiture, revocation or suspension; or removal of the automatic control privilege for your repeaters, pursuant to Section 97.109(d) of the Commission's rules, 47 C.F.R. § 97.109(d).

Sincerely,

W. Riley Hollingsworth
Special Counsel

cc: FCC South Central Regional Director