

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

January 25, 2010

Mr. James O. Stetson
(Address withheld)
(City/State withheld)

Re: **WARNING NOTICE**
Amateur Radio License N0IZJ
EB-09-GB-0287

Dear Mr. Stetson:

By letter dated December 11, 2009, the Commission notified you that it had received numerous complaints regarding the operation of your amateur station. The complaints allege that you have been using the local repeater on 147.345 to conduct the business of selling burial monuments in violation of Section 97.113(a)(3) of the Commission's rules. The letter further noted that the written complaints were supported by recordings of several on-air conversations of you engaging in the above-referenced behavior. A copy of the complaints and the recordings were sent to you for your review.

You responded to the Commission's letter on December 28, 2009. In that letter, you indicate that you serve on a volunteer cemetery board and work with the monument companies in your area who have sold the monuments to interested parties. You maintain that you do not sell the monuments and never have. But, you concede that you locate the lot on behalf of the monument company and then mark the appropriate location for them to affix the monument. You indicate that you are often on the road and allow the monument companies to contact you on the reverse auto patch via your two meter handheld radio when you are needed.

Your operation as described above is contrary to the basis and purpose of the amateur radio service as set out in Section 97.1 of the Commission's rules.¹ Please be advised that the Commission expects you to abide by its rules. This letter serves as notice that, if operation of this type reoccurs after receipt of this letter, you could be

¹ See 47 C.F.R. § 97.1.

subject to severe penalties, including license revocation, monetary forfeiture (fines),² or a modification proceeding to restrict the frequencies upon which you may operate.

Sincerely,

Laura L. Smith
Special Counsel

Cc: Kansas City Field Office
South Central Regional Director

² Fines normally range from \$7,500 to \$10,000.