

VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

February 22, 2010

Mr. Michael Van Winkle
(Address withheld)
(City/State withheld)

Re: Amateur Radio License W4HV
Warning Notice
EB-10-GB-0011

Dear Mr. Van Winkle:

The trustees of N4WWB have requested that you refrain from use of their repeater. The trustees of N4WWB attempted to contact you via certified letter, but you refused service. You were previously issued several verbal requests to refrain from using the system, but failed to comply with those requests necessitating the formal written request.¹ You have repeatedly failed to comply with any requests to refrain from using the repeater and, indeed, were heard operating on the system as recently as last week.

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 N4WWB – and any other similar requests to cease operations on any other repeaters by any other repeater licensees, control operators or trustees.

¹ You were advised on air by Mr. James Flanary that you were restricted from operating on the repeater on November 20, 2009 at 2:43 PM, on December 15, 2009 at 3:30 PM, on December 20, 2009 at 6:20 PM and finally on January 14, 2010 at 3:18 PM. You ignored each of these verbal warnings.

Use of N4WWB again after receipt of this letter could subject you to severe penalties, including license revocation, monetary forfeiture (fine)² or a modification proceeding to restrict the frequencies upon which you may operate.

Sincerely,

Laura L. Smith
Special Counsel

Cc: Atlanta Field Office
South Central Regional Director

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