

CERTIFIED MAIL RETURN RECEIPT REQUESTED

May 10, 2017

Mr. Eugene W. Runyon
(Address withheld)
(Address withheld)

Re: Amateur License KD8RKA
Warning Notice
EB-FIELDNER-17-00024262

Mr. Runyon:

The Commission has received a complaint that you have been operating outside of your station class, in the so-called “freeband.” The complaint further alleges that you also own a CB radio and that for the last several months you have been operating your CB radio at excessive power levels. The complainant has contacted the Commission and asked us to remind you that your continued operation outside the scope of your station class in the so-called “freeband” and the use of external radiofrequency power amplifiers (sometimes called linears or linear amplifiers) for your CB radio constitutes a violation of our rules.

Operation of radio transmitting equipment outside of authorized frequencies is a violation of Section 301 of the Communications Act of 1934, as amended,¹ and may subject the responsible parties to substantial monetary forfeitures,² *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment.³ Because unlicensed operation creates a danger of interference to important radio communications services and may subject the operator to severe penalties, this warning emphasizes the importance of complying strictly with these legal requirements.

UNAUTHORIZED OPERATION OF THESE RADIO STATIONS MUST CEASE IMMEDIATELY.

You have ten (10) days from the date of receipt of this warning to respond to this office. The response must contain a statement of the specific action(s) taken to come into compliance with the Commission’s rules and should include a time line for completion of pending corrective action(s). **You are directed to support your response with a signed and dated affidavit or declaration under penalty of perjury, verifying the truth and accuracy of the information submitted in your response.** Your response should be

¹ 47 U.S.C. § 301.

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

³ See §§ 401, 501, 503, 510.

sent to the following address: 1270 Fairfield Road, Gettysburg, Pennsylvania 17325 and reference the listed file number.

In an inquiry of this type we are required to notify you that under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), the Commission's staff will use all relevant information before it, including information you disclose in your reply, to determine what, if any, enforcement action is warranted in this matter.

Sincerely,

Laura L. Smith, Esq.
Special Counsel
Spectrum Enforcement Division
Enforcement Bureau